

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77611 of 2019

Arising Out of PS. Case No.-431 Year-2019 Thana- KISHANGANJ District- Kishanganj

NASIR @ MD. NASIR Son of Ameen Resident of Village - Kusiabari,
Police Station- Chhattargachh, District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under sections 414 and 120B of the Indian Penal Code.

As per the allegation in the F.I.R., two named accused persons are said to have been caught with stolen motorcycle. It is stated that one of the accused Kalidas Marandi disclosed that he had purchased the said motorcycle 3-4 days back from Iqbal Reza for Rs. 17,000/-. Iqbal Reza, who was also riding the motorcycle in passenger's seat, disclosed that about four months back he had purchased the motorcycle for Rs.20,000/- from the petitioner, who is into the business also.



It is submitted by learned counsel for the petitioner that besides the statement of the co-accused Iqbal Reza before the police, there is no other material against this petitioner, who has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances of the case including the fact that the petitioner was not caught with the stolen motorcycle and he does not have any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Kishanganj P.S. Case No.431 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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