

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85984 of 2019**

Arising Out of PS. Case No.-160 Year-2019 Thana- ABADPUR District- Katihar

MD. MOHSIN S/o Late Ajijul Resident of Village- Abadpur Gum Tola, P.S.-  
Abadpur, Dist- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      22-01-2020                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Abadpur PS case no. 160 of 2019 registered for the offences punishable under Section 414 of Indian Penal Code.

The allegation is that a motorcycle was standing in a hut near the road and the police had arrived at the said hut and recovered the said motorcycle, whereupon inquiry was made and co-accused person namely Asraf Ali @ Asraful Alam had disclosed that the said motorcycle belongs to him and upon being told to produce the registration papers, he could not produce the same and disclosed that he had purchased the said motorcycle from the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. It



is further submitted that the petitioner is an accused in two other cases but he is on bail in the said two cases. Lastly, it is submitted that the petitioner has got no role to play in the alleged occurrence and upon disclosure of his name by the co-accused person, he has been falsely implicated in the present case, specially since there is no proof of petitioner having stolen the motorcycle.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner coupled with the fact that the name of the petitioner has transpired in the present case merely on the confessional statement of the co-accused person, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st class, Katihar in connection with Abadpur PS case no. 160 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

rinkee/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

