

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2185 of 2020**

Arising Out of PS. Case No.-440 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

Meraj Khan @ Meraj Shah Son of Late Shahabuddin Sah, Resident of Village
- Khanpur (Nawaka Tola), P.S.-Thawe, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Gopalganj Town P.S. Case No. 440 of 2019 registered for the offences punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR and nothing has been recovered from the possession of the petitioner. It is further submitted that the alleged stolen motorcycle was recovered from the possession of co-accused Roshan Ali who named this petitioner and later on a motorcycle is said to have been



recovered from his house, however, there is no claimant of the said motorcycle. The petitioner is in custody since 09.09.2019.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the submission of learned counsel for the petitioner that the alleged stolen motorcycle was recovered from the possession of co-accused Roshan Ali who named this petitioner and later on a motorcycle is said to have been recovered from his house, however, there is no claimant of the said motorcycle and further that the petitioner has no criminal antecedent prior to this case, he is in custody since 09.09.2019 and the investigation against him is complete, let the petitioner above named be released on bail in connection with Gopalganj Town P.S. Case No. 440 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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