

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13634 of 2021

Arising Out of PS. Case No.-255 Year-2016 Thana- MADHUBANI TOWN District-
Madhubani

Md. Tarique @ Tarique Anwar @ Arsee @ Karikwa, aged about 35 years,
Gender- (Male) son of late Lal Babu @ Ashraf, Resident of Village-
Rathaus, Police Station- Bisfi Patauna, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Kripa Nand Jha, Advocate

For the State : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2021 In view of the sudden resurgence of Covid-19 infection,

there is limited functioning of the High Court and, therefore, the

matter has been listed today for consideration through virtual

mode.

Learned counsel for the petitioner is expected to honour

his undertaking given in the instant case for depositing the

requisite court fee and to remove the defects as pointed out by

office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner seeks bail in Madhubani Town PS Case

No. 255 of 2016, GR No. 1318 of 2016, instituted for the

offence under Sections 379, 401, 403, 411, 467, 468/34 of the

Indian Penal Code.

Two persons have been apprehended by the police being



suspect of the alleged theft of the motorcycle. From them stolen motorcycle has been recovered. They have stated the name of petitioner and one Md. Jhui, who have given the motorcycle to them and that the petitioner regularly indulges in such activity.

The learned counsel for the petitioner submits that there is no recovery of any incriminating material from the petitioner. He is in custody since 23.03.2020. Merely on the basis of the confessional statements of co-accused Rahmatullah and Md. Rehan, who were arrested with the stolen motorcycle. He is accused in two more cases, as per statements made in paragraph No. 3 of the bail petition and in both the cases, he is stated to be on bail.

The learned APP representing the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances and the rival submissions prayer is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Madhubani**, in connection with **Madhubani (Town) PS Case No. 255 of 2016, GR No. 1318 of 2016** subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Shyambihari/-

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