

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13180 of 2021**

Arising Out of PS. Case No.-499 Year-2020 Thana- GARKHA District- Saran

NAZIR HUSSAIN @ NAZIR Son of Tahir Hussain @ Tahir Miyan Resident  
of village - Bhairawpur, P.S. Doriganj, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD  
ORAL ORDER**

2      20-07-2021                      In view of sudden resurgence of COVID-19 infection  
  
there is limited functioning of the High Court and therefore the  
  
matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned  
  
APP for the State.

This Court would expect that the petitioner's Counsel  
  
would honour his undertaking in the instant proceedings regarding  
  
supply of requisite court fee etc. within two weeks from the date  
  
he is called upon to do so by the office.

Petitioner seeks bail in Garkha PS Case No. 499 of  
  
2020, registered under Sections 413, 414, 34 of the Indian Penal  
  
Code.

It has been alleged that three persons were apprehended  
  
with two motorcycles. They stated that they had purchased the



motorcycle from the instant petitioner. The motorcycle was found to be stolen and therefore petitioner has been implicated in this case.

Learned counsel for the petitioner submits that co-accused Vishwas Kumar Patel has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 6427/2021 dated 27.01.2021. Petitioner has been falsely implicated in this case. There is no recovery of any stolen motorcycle from possession of petitioner. He has no criminal antecedent. He is in custody since 07.12.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Chapra in Garkha PS Case No. 499/2020, 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)**

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