

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14222 of 2021

Arising Out of PS. Case No.-382 Year-2020 Thana- JOGAPATTI District- West Champaran
=====

FAHIM ANSARI S/o Razzaque Ansari R/o village- Semari Bhawanipur,
Ansari Tola, P.S.- Nawalpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Parmanad Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Yogapatty (Nawalpur O.P.) P.S. Case no. 382 of 2020 registered under section 379 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that having parked his motorcycle he had gone to one of the shops. On returning he found that his motorcycle missing.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. Referring to the material that has transpired in course of investigation which has come in the order of the learned Court below rejecting the application for bail of



the petitioner, it is submitted that the allegation that the stolen vehicle was recovered from the petitioner's conscious possession is false. From perusal of the medical certificate brought on record as Annexure 3, it would transpire that petitioner is deaf and dumb since birth and he was unknowingly sitting on the motorcycle. He is in custody since 13.9.2020 and has no criminal antecedent. Investigation in the case has concluded.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for over 10 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Yogapatty (Nawalpur O.P) P.S. Case no. 382 of 2020 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 Chief Judicial Magistrate, Bettiah, West Champaran.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

