

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25937 of 2021**

Arising Out of PS. Case No.-297 Year-2020 Thana- KADWA District- Katihar

Md. Fekarul @ Md.Felarul Son Of Md. Ishahaque @ Israhali Ali Resident Of  
Village- Ratni, P.S. Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      18-08-2021      Heard learned counsel for the petitioner and learned A.P.P. for  
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the  
defects within four weeks of resumption of normal court proceeding.  
In the eventuality of non-removal of defects within undertaken  
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kadwa P.S. Case  
No. 297 of 2020 registered for the offence punishable under Sections  
413 and 414 of the Indian Penal Code.

On search by the informant two stolen splendor motorcycles  
without registration number were recovered from the possession of  
petitioner *Md. Fekarul*. It is alleged that Chassis and Engine numbers  
were also erased from the recovered motorcycles.

It is submitted by learned counsel for the petitioner that  
petitioner has falsely been implicated in this case and has not



committed any offence as alleged in the FIR. He submits that as per the F.I.R. police arrested three co-accused and seized four motorcycles from their possession and they confessed that two motorcycles were sold to petitioner who was working as a labour in Garaj. He submits that alleged Garaj was running by *Md. Basir* and the petitioner is a daily wage worker of the said Garaj, who had no knowledge about the stolen motorcycle. He further submits that no motorcycle has been recovered from the possession of the petitioner or from his house. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has one criminal antecedent as has been mentioned in para 3 of this bail petition and he is languishing in custody since 25.12.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor Court in connection with Kadwa P.S. Case No. 297 of 2020.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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