

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37937 of 2020

Arising Out of PS. Case No.-126 Year-2020 Thana- NAUTAN District- West Champaran

Mumtaj Alam @ Mumtaz Alam S/o Rustam Mian @ Rustam Alam Resident
of Village- Shivrajpur, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mrs. Anita Kumri Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2021 Heard the learned counsel for the petitioner and Mrs.
Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Nautan P.S. Case No. 126 of 2020 for the offence punishable
under Sections 413/414 of the Indian Penal.

The allegation is regarding recovery of one
motorcycle without number plate from the Varanda of the house
of the petitioner, which is alleged to be a stolen motorcycle.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 27.05.2020. The learned counsel for the petitioner
has further submitted that the house in question is in joint
possession of the petitioner and his family members and the said



motorcycle has not been recovered from the conscious possession of the petitioner.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and considering the materials available on record as also considering the fact that the petitioner is having a clean antecedent and is languishing in custody since 07.05.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Nautan P.S. Case No. 126 of 2020.

(Mohit Kumar Shah, J)

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