

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39185 of 2020

Arising Out of PS. Case No.-593 Year-2020 Thana- MADHAURAH District- Saran

HASRAT ALI Son of Halim Miyan Resident of Village - Bhawalpur, P.S.-
Marhowra, District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md Anis Akhtar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-02-2021 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the stamp reporter within
four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

The petitioner in the present case is seeking regular
bail in connection with Marhowra P.S. Case No. 593 of 2020
registered for the offences punishable under Section 414 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is alleged to have been arrested from his house and a
motorcycle which is said to be stolen one has been recovered
from his house.

Learned counsel submits that petitioner had no



knowledge that the said motorcycle is stolen one as the same was kept by the co-accused persons. The petitioner is in custody since 04.07.2020 having no criminal antecedent.

Learned A.P.P. for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case on the allegation that stolen motorcycle has been recovered from the house of the petitioner, the submission is that the petitioner had kept the said motorcycle at the instance of the co-accused persons who had not disclosed that the said motorcycle is stolen one, the petitioner has otherwise no criminal antecedent and has remained in custody since 04.07.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chhapra in connection with Marhowra P.S. Case No. 593 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rishi/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

