

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40375 of 2020

Arising Out of PS. Case No.-288 Year-2020 Thana- KORHA District- Katihar

MD. MOFIZUDDIN S/o ABDUL KHALID R/o Kantipur, Tingharia, P.S-
Korha, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-03-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Korha Police Station Case No. 288 of 2020, registered for the
offence punishable under Section 414 of the Indian Penal Code.

The prosecution story, as per the First Information
Report, is that the motorcycle of the petitioner was intercepted
by the police and upon query, the petitioner did not produce the
papers regarding the ownership of the said motorcycle and it is
alleged that the motorcycle, in question, was stolen one.

Learned Counsel for the petitioner submits that the
petitioner has got no criminal antecedent and has falsely been
implicated in this case with oblique motive. He further submits
that the motorcycle in question was purchased by the petitioner
from one Md. Maksood on 08.04.2020 for the consideration



amount of Rs. 31,000/- and for which, a sale letter was executed by said Md. Maksood. He next submits that the petitioner was not aware that the motorcycle, in question, was stolen property. He next submits that the petitioner is in custody since 25.06.2020, i.e. for almost nine months and charge sheet has already been submitted against the petitioner, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 25.06.2020, having no criminal antecedent and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Korha Police Station Case No. 288 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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