

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4752 of 2021

Arising Out of PS. Case No.-478 Year-2019 Thana- DUMRA District- Sitamarhi

Naushad Alam Son of Roj Mahmad Resident of Village - Sripur Narayan Tola
Puran Hiar, P.S. - Ghorasahan, Distirct - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-04-2021 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 Dumra P.S. Case No. 478 of 2019, dated 21.01.2020 registered for the offence punishable under Sections 379 of the Indian Penal Code.

As per the prosecution case, on 30.12.2019 at around 12 – 2 PM, the informant parked his vehicle bearing Reg. No. BR30H 7959 at State Bank of India, Dumra Branch Premises



and when he returned from the bank he did not find his vehicle and the same was stolen by someone.

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 and there is no eye-witness. No such occurrence as alleged ever took place and nothing has been recovered from the conscious possession of the petitioner. He is quite innocent and has been falsely implicated in this case. He is not named in the F.I.R. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has not been put on Test Identification parade till date and charge sheet has been submitted against the petitioner. The petitioner has five criminal antecedents of same nature of offence as mentioned in para 3 of the bail application and has been languishing in custody since 12.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge** and 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 in connection with Dumra P.S. Case No. 478 of
2019.

(Anjani Kumar Sharan, J)

GAURAV S./-

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