

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10199 of 2022**

Arising Out of PS. Case No.-158 Year-2021 Thana- MAHINDWARA District- Sitamarhi

MD. RAHMAT AZAM @ RAHMAT KUMAR @ RAHMAT AZAM Son of
Md. Khabir Alam @ Khabir Ansari Resident of Village- Tahirpur, Ward No.
11, P.S.- Mahindwara, District- Sitamarhi- 843117.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 06-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 413, 414 and 34 of the Indian Penal Code.

The informant alleges that on 08.11.2021 while he was patrolling with his team, an accused on a bike seeing the police tried to flee but was apprehended and was not able to show any documents relating to the bike as such it is alleged that the bike was stolen one, it is next alleged that the apprehended accused confessed the name of the petitioner and other co-accused as his associates who were involved in stealing of bike and also have a stolen bike with them.



Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that his name transpired in the confessional statement of co-accused which has no evidentiary value, it is further submitted that petitioner is a young boy of 19 years and is a student and in the event, if he is sent to jail his entire career would be jeopardized as he would come in contact with hardened criminals.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt petitioner is a young boy and submission has been made that he is a student but then there is no pleading to that effect in the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Mahindwara P.S. Case No. 158 of 2021 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father, Md. Khabir Alam @ Khabir Ansari.

The petitioner shall produce all his educational certificates before the learned trial court on the date when he surrenders to show that he is a student. In the event, if the petitioner is able to produce his educational certificates, the present order shall be acted upon and in the event, if the petitioner is not able to produce any documentary evidence relating to his educational qualification, the present order shall lose its effect.

(Satyavrat Verma, J)

Rishi/-

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

