

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22546 of 2022

Arising Out of PS. Case No.-637 Year-2021 Thana- ARARIA District- Araria

Jamshed Son Of Wasique R/O Village- Balwa Rahika Tola, P.S. And District-
Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner seeks regular bail in connection with Araria
P.S. Case No. 637 of 2021 registered for the offences under
Sections 413, 414, 34 of the Indian Penal Code.

As per allegation, the petitioner and co-accused persons
were involved in theft of motorcycles and thereafter disposing the
same by separating the parts of the stolen motorcycles and in
following with the statement made by one of the accused persons
one stolen Bullet motorcycle was recovered from a canal.

The main submissions advanced by learned counsel Mr.
Kanchan Jha appearing for the petitioner are that the alleged stolen
motorcycle was recovered in following with the statement made
by co-accused Md. Jamal and the petitioner's name surfaced in the



statement of co-accused Faisal Murtuza except this against him there is no any material. Further submission is that the petitioner has been languishing in jail since 28.08.2021 against him the investigation has been completed.

Learned APP Yogendra Kumar Singh appearing for the State has opposed the bail prayer.

In view of the above submissions and considering the petitioner's custody period and mainly taking into account the facts that the petitioner's involvement in the alleged offences of 413 and 414 of IPC came into light in the statement of co-accused namely Faisal Murtuza as appears from the FIR and one stolen motorcycle was recovered in following with the statement of co-accused Belal and against the petitioner there is no any material except the statement of co-accused Faisal Murtuza and the petitioner has been languishing in jail since 28.08.2021, in my view a lenient approach can be taken in respect of petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in Connection with Araria P.S. Case No. 637 of 2021.

(Shailendra Singh, J.)

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