

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36618 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- MITHANPURA District- Muzaffarpur

MD. RASHID @ MD. RASHID KURASHI @ RASHID KURAISHI Son of
Md. Ashik Kuraishi Resident of Village - Maharajee Pokhar, P.S. - Nagar,
District – Muzaffarpur. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mithanpura P.S. Case no. 18 of 2021 instituted for the offence under Sections 379, 411 and 34 of the Indian Penal Code.

As per allegation in the FIR, motorcycle of the informant bearing registration no. BR-06T-2933 was stolen on 22.01.2021 by unknown person. He further states that on 24.1.2021 he saw that three persons were riding on his stolen motorcycle and on making hue and cry, local people gathered there and they all were caught and disclosed that after committing theft, they used to handover the same to the petitioner to sell it off.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. Due to inimical terms with the apprehended co-accused, they disclosed the name of the petitioner before the police, which has got no evidentiary value in the eye of law. Petitioner was neither present at the place of occurrence nor any article has been recovered from his possession or his house. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mithanpura P.S. Case no. 18 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-9th Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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