

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27359 of 2022

Arising Out of PS. Case No.-471 Year-2021 Thana- KORHA District- Katihar

Md. Mitthu @ Asif S/o Harun Rashid R/o- Shishia, P.S.- Barari, Distt.-
Katihar, at Present R/o- Pawai, P.S.- Korha, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastri , APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Korha P.S. Case No. 471 of 2021 lodged under Sections 413,
414, 120(B) of the I.P.C.

As per the prosecution case, the allegation against the
present petitioner is to purchase a motorcycle which is subject to
theft and the theft motorcycle was recovered from his
possession.

Learned counsel for the petitioner submits that he is
innocent and has committed no offence. Under complete
ignorance he has purchased the said motorcycle. He submits that

his antecedent is clean and he is in custody since 09.11.2021, charge sheet has already been filed in this case.

He further submits that those persons who are alleged to have committed theft and accused in this case have been granted bail by the Co-ordinate Bench of this Court vide order dated 26.05.2022 passed in Cr. Misc. No. 19116 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Sessions Judge, Katihar in connection with Korha P.S. Case No. 471 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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