

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27903 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- KASBA District- Purnia

MD. CHUNNA @ MD. RAHID SON OF MD. JAHANGEER R/O
VILLAGE- SAJHAILEE, P.S.- KASBA, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-09-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects pointed out by the office within four weeks.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 379/34 of the IPC.

Petitioner is alleged to have stolen the motorcycle of informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case merely on suspicion. Petitioner has no criminal antecedent, which is mentioned in para-3 of this application. No recovery has been made from the conscious physical possession of the petitioner. It is submitted that informant is not an eye-witness but only on disclosure of his nephew, petitioner has been made accused in this case. There is



an enmity between the petitioner and nephew of informant.

Learned APP for the State opposed the prayer for bail by submitting that it has come in the impugned order that petitioner is habitual of stealing motorcycles.

Having regard to the facts and circumstances of the case, since no recovery has been made from the possession of petitioner, let him be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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/Successor Court in connection with Kasba P.S. Case No.54/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, learned court below is directed to verify the criminal antecedent of the petitioner before accepting his bail bonds and in case petitioner has criminal antecedent, his bail bonds shall not be accepted.

(Anjani Kumar Sharan, J)

pallavi/-

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

