

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29318 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- DHURAIYA District- Banka

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Shekh Naseem Son of Shekh Sabik Resident of Village - Mahesh Tikri, P.S.-
Basant Ray, District - Godda (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Dhoraiya

P.S. Case No. 66 of 2022 registered for the offence under

Section 414 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in

custody since 14.02.2022.



The allegation against the petitioner is to have in possession of stolen motorcycle bearing Registration no BR 10 AD 0348.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case, as it is highly improbable to drive a motorcycle for a person like this petitioner, who has lost his 100% vision of one eye and 50% vision of another. It is further submitted that seizure list is disputed, as same is not supported by independent witnesses, rather by home guard personnel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as seizure list appears doubtful on its face coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dhoraiya P.S. Case No. 66 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Banka/concerned Court,
subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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