

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31529 of 2022**

Arising Out of PS. Case No.-156 Year-2022 Thana- JOKIHAT District- Araria

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IMTIYAZ SON OF SIDDIQUE @ SIDDIK R/O VILLAGE- MATIYARI,
P.S.- JOKIHAT, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 31-08-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 413, 414, 411/34 of the Indian
Penal Code.

The case relates to recovery of two theft
motorcycle from the garage of accused Akbar Alam and one
from his house. It is further alleged that on disclosure of one
accused, Masood, one another theft motorcycle has been
recovered from the possession of another accused, Pappu.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the name of



this petitioner has been transpired in this case on the basis of extra judicial confessional statement of the co-accused, Akbar Alam. However, nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that it is clearly evident from the F.I.R. and the seizure list that alleged motorcycles have been recovered from the possession of other co-accused and, therefore, this petitioner has no concern at all with the alleged recovered motorcycles. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 31.03.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, 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 learned Court below where the case is pending in connection with Jokihat P.S. Case No. 156 of 2022 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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