

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43787 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- SIKARPUR District- West Champaran

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HASMUDDIN MIYAN SON OF MANAGER MIYAN Resident of Village -
Tuniya, P.S.- Bettiah Muffasil (Manuapul), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Shikarpur P.S. Case No. 75 of 2021, registered for the offence punishable under Sections 379/411 of the Indian Penal Code.

The allegation is regarding the informant having parked his bike in the premises of the



Government hospital, Narkatiyaganj and when he had returned after sometime, he saw that the petitioner was unlocking the motorcycle and was trying to flee away along with the motorcycle, however, he was caught by the people present at the place of occurrence.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 2.2.2021. The learned counsel for the petitioner has further submitted that at best, the present case can be stated to be a failed attempt of stealing the motorcycle in question, however, it is submitted that the petitioner has been falsely implicated in the present case on account of village politics.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 75/2021.

(Mohit Kumar Shah, J)

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