

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38995 of 2022**

Arising Out of PS. Case No.-124 Year-2022 Thana- ADAPUR District- East Champaran

Imteyaz Alam @ Intezar Alam Son of Mozammil Alam @ Mozammil Mian
R/O Village- Nayaka Tola, P.S.- Raxual, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 23-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Adapur
P.S. Case No. 124 of 2022 registered for the offence under
Sections 379, 413, 414 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.04.2022.

The allegation against the petitioner is to have in
possession of stolen motorcycle bearing Registration no. BR 05B
3676.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has been falsely implicated in the present case for the reason that despite of *bona fide* purchaser, Registration Certification (RC) of the motorcycle could not be transferred in favour from competent authority. It is submitted that initially, the said motorcycle was purchased by Amit Kumar, who sold it to Vijay Kumar, then to Ram Pujan Mahto from whom, the father of the petitioner purchased the alleged stolen motorcycle, much prior to this occurrence on 08.09.2020. 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 father of the petitioner appears to be the purchaser of alleged stolen motorcycle, where implication is, *prima facie*, based upon non-availability of Registration Certification (RC) 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 Adapur P.S. Case No. 124 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 Sub Divisional Judicial Magistrate, Raxaul at Motihari/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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

