

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41589 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- JANDAHA District- Vaishali

MD. KHURSHID S/o Md. Rashid R/o village- Chakisa, P.S.- Jandaha,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State .

The petitioner seeks bail in connection with
Jandaha P.S. Case No. 58 of 2022 registered for the offences
punishable under Section 414 of the Indian Penal Code.

As per prosecution case, there is alleged recovery
of one stolen motorcycle from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.02.2022 and bears no criminal
antecedent. Charge sheet has been submitted in the case and
there is no likelihood of tampering with the prosecution
evidence. He further submits that petitioner is a bonafide



purchaser of the said motorcycle and he had no prior knowledge of the motorcycle being a stolen property. He came to know about the bike being stolen only after the police came to his house for search. He submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Hajipur, Vaishali in connection with Jandaha P.S. Case No. 58 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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