

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51327 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- SIKTI District- Araria

MD SHAKIL @ SAKIL RAY SON OF IMAM RAY @ ISLAM RAY @
ISAM ROY R/O VILLAGE- PARARIA, P.S.- SIKTY, DISTRICT- ARARIA
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-09-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

The petitioner in association of other co-accused is said to have stolen the motorcycle of the informant which was parked besides a tea stall.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place.



He has been falsely implicated in this case due to enmity. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of two days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. The petitioner has been made accused in this case on the confessional statement of co-accused Ehsan @ Sukru, which has no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sikty P.S. Case No. 36 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

