

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43017 of 2022

Arising Out of PS. Case No.-99 Year-2018 Thana- KATORIYA District- Banka

SHOUKAT ALI @ SHOKAT S/O MD. AYUB Resident of village- Chubhiya,
P.S. and District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Katoriya P.S. Case no. 99 of 2018 instituted for the offence under Sections 379 of the Indian Penal Code and later on Sec. 414 IPC has been added.

Prosecution case relates to theft of motorcycle. It is further alleged that the alleged morotcycle was recovered from possession of co-accused Ravindra Yadav, who confessed the name of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Alleged recovery



has been made from possession of co-accused Ravindra Yadav and not from the petitioner and the name of the petitioner has been disclosed in this case by him, before the police which has no evidentiary value in the eye of law. Co-accused Ravindra Yadav has been enlarged on bail by learned court below.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Katoriya P.S. Case no. 99 of 2018, he will be enlarged 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 Judicial Magistrate, 1st Class, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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