

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53080 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- DHURAIYA District- Banka

MD HAIDAR ALIAS SARFARAJ SON OF RAFIQUE ANSARI
RESIDENT OF VILLAGE- RABBIDIH, P.S- DHORAIYA, DIST- BANKA
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The matter relates to Dhoraiya P.S. Case No. 96 of
2021 registered under Section 379 of the Indian Penal Code
lodged by Pradeep Rajak on 26.04.2021.

As per the prosecution case, he had parked his
motorcycle on the 'Barandah' of his home and the same was
stolen. This led to the lodging of the First Information Report
against unknown. Subsequently, the motorcycle was recovered
from accused Ajay Yadav and he made a confession naming
amongst other the petitioner herein.

Learned counsel for the petitioner submits that the
vehicle has not been recovered from him and he is in jail since
13th of July, 2021. He has also brought on record the order of co-
ordinate Bench of this Court dated 5th of January, 2022 in Cr.



Misc. No. 41211 of 2021 (Md. P.K. @ Madhudha Ansari @ Badashah) in which the bail has been allowed to the petitioner of that case. Counsel for the petitioner lastly submits that he is also on the similar footing, the privilege of bail may be granted to him.

Taking into account the aforesaid facts as also that the name of the petitioner also cropped up during the confession of Ajay Yadav and that since he does not have any criminal antecedent, he deserve bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each in connection with Dhoraiya P.S. Case No. 96 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Banka.

Let the order dated 05.01.2022 passed in Cr. Misc. No. 41211 of 2021 be kept on record.

(Rajiv Roy, J)

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