

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58964 of 2021

Arising Out of PS. Case No.-304 Year-2021 Thana- FORBESGANJ District- Araria

MD. KURBAN ANSARI @ KURBAN S/o Late Hefaj Resident of Village-
Rampur Bhajanpur, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 304 of 2021 instituted for the offence
under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.06.2021, charge-sheet has been
submitted and has antecedent of three cases.

The informant alleges that he had parked his
motorcycle in the premises of Forbesganj Block and when he
returned he found his motorcycle missing and from the C.C.T.V.
footage of the B.D.O. Office the informant identified the
petitioner and Takku having committing theft of the motorcycle.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case based on his antecedent, though it is alleged that the informant identified the petitioner based on the C.C.T.V. footage but the petitioner despite being arrested was never put on T.I. Parade. Learned counsel further submits that the alleged C.C.T.V. footage has not been made part of the investigation.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that the petitioner has antecedent of three cases and he deemed to be a habitual offender.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted, petitioner was never put on T.I. Parade and the stolen motorcycle has not been recovered, let the petitioner above named be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 304 of 2021, with condition that one of the bailors shall be the wife (Jahida Khatoon) of the petitioner and further if the petitioner is implicated in a case of similar nature and the said fact comes to the notice of the learned court below, the



learned court below shall forthwith cancel the bail bond of the
petitioner.

(Satyavrat Verma, J)

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