

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50105 of 2022

Arising Out of PS. Case No.-626 Year-2022 Thana- TURKAULIYA District- East
Champaran

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IRFAN ALAM S/o Rustam Miya R/o village- Jaisinghpur Khirwa Bajar, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

learned APP for the State.

The petitioner seeks regular bail in connection
with Turkauliya PS case no. 626 of 2022 instituted for the
offences punishable under Sections 413, 414 of Indian Penal
Code.

The allegation is regarding recovery of a
motorcycle from the place of occurrence, where the petitioner is
alleged to be standing and upon inquiry, the petitioner could not
produce the registration paper regarding ownership of the said
motorcycle in question.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in the



present case, is having a clean antecedent and is languishing in custody since 04.07.2022. The learned counsel for the petitioner has further submitted that the motorcycle has been recovered from village Jamunia, however the same has neither been recovered from the conscious possession of the petitioner nor from his house and he has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the motorcycle in question has not been recovered from the house of the petitioner and the petitioner is alleged to be merely standing near the motorcycle in question, at the time the police had seized the same apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since 04.07.2022, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of



Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya PS case no. 626 of 2022.

(Mohit Kumar Shah, J)

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