

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51458 of 2022

Arising Out of PS. Case No.-147 Year-2022 Thana- BALIYA District- Begusarai

Imran Shaikh @ Emran Shekh Son Of Bhola Shaikh R/O Village- Bhandar
Mohammadpur, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-12-2022 The matter has been taken-up through video conference.

Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 379 of the
Indian Penal Code.

The prosecution case in short is that the informant parked
his motorcycle at his door in the night of 28.05.2022. When he
awake in the morning his motorcycle was not found there.
Accordingly, written complaint was lodged against unknown
persons.



Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel for the petitioner submits that the F.I.R was registered against the unknown persons. It is also submitted that the petitioner has no concern with the alleged occurrence. It is also submitted that one Nanhe Alam had asked the petitioner that he has one motorcycle but it requires servicing and requested him for payment of its servicing charge upon the insistence of Nanhe Alam, he made payment to the service centre through his pay phone and after payment, informant got message from the service centre and the name of the petitioner transpired in this case. From perusal of the seizure list, it is clear that the said Motorcycle recovered from premise of Ballia police station (Begusarai), which was produced by Balwant Kumar. It is submitted that the petitioner has no concern with the said motorcycle and only on the basis of suspicion, he has been made accused in this case. The petitioner is in custody since 05.07.2022, and has clean antecedent and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the



above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Ballia P.S. Case No. 147 of 2022.

(Khatim Reza, J)

Sankalp/-

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