

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63421 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- MAJHAULIA District- West Champaran

Mahfooz Alam Son of Md. Yunus @ Yunus Mian @ Mohammad Yunus Resident of Village- Kadwa Mathiya, Nuniya Tola, P.S.- Chanpatia (Kumarbag), District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks anticipatory bail in connection with Majhauria P.S. Case No. 81 of 2021, registered for the offence under Sections 379 of the Indian Penal Code.

The main submissions advanced by learned counsel for the petitioner are that petitioner is not named in the FIR nor the stolen motorcycle has been recovered from his possession and the name of petitioner came out in the statement of co-accused Gulsan Kumar, who intentionally revealed the petitioner's name on account of having inimical terms with petitioner's father and on the basis of confessional statement of said co-accused, petitioner has been made accused in five cases in addition to the present case which were lodged against unknown persons and in the present



case as well as in the other cases except confessional statement of co-accused Gulsan kumar there is no any other legal evidence and present case relates to theft of a motorcycle. Further submission is that petitioners' educational career is very bright and he has secured first class in matriculation as well as intermediate examination and in this regard marksheets of said examinations have been filed and he is a young boy.

Learned APP has opposed the prayer of bail.

Having Considered the above submissions and the petitioner's young age and his plea as to only confessional statement being against him in the present case and also considering his academic career, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Majhulia P.S. Case No. 81 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shailendra Singh, J)

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