

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64464 of 2021**

Arising Out of PS. Case No.-90 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

Hasibul Ansari, S/O Kadir Ansari, R/o village- Harahiya, P.S.- Siwaipatti,  
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 69002 of 2021**

Arising Out of PS. Case No.-90 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

Shambhu Kumar Son of Naresh Ray Resident of Village - Saghari, P.S.-  
Siwaipatti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 64464 of 2021)

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

(In CRIMINAL MISCELLANEOUS No. 69002 of 2021)

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      28-06-2022                      Heard learned counsel for the petitioners and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks from the date of  
resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in



connection with Siwaipatti P.S. Case No. 90 of 2021 registered for the alleged offences under Sections 467, 471, 420 and 414 of the Indian Penal Code.

The prosecution case is that on secret information, the garage of the petitioner Hasibul Ansari was raided by the police and some stolen motorcycles were recovered. The petitioner Shambhu Kumar was also apprehended with the stolen motorcycle after chase. Further, the prosecution case is that the petitioners were involved in the sale and purchase of the stolen vehicles along with other co-accused persons.

The learned counsels for the petitioners submit that no stolen motorcycle was recovered from the garage of the petitioner- Hasibul Ansari and though the motorcycle with which the petitioner- Shambhu Kumar was apprehended is stated to be stolen, but he has merely come to the place for purchasing a second hand motorcycle. Further, during the investigation also, it has not been proved that the motorcycles recovered from the garage were stolen. Another co-accused namely Dinesh Kumar to whom the stolen motorcycle was said to be recovered has been allowed bail by a co-ordinate Bench of this Court vide order dated 9.06.2022 passed in Cr. Misc. No. 4222 of 2022 and the petitioners are in custody since 03.08.2021



and are having clean antecedent. The charge-sheet has already been filed in the case.

Learned APP has opposed the submission made on behalf of the petitioners, submitting that the petitioners are members of the gang dealing with the stolen motorcycles and the petitioner Shambhu Kumar has been apprehended with the stolen motorcycle.

Having regard to the submissions made hereinabove and considering the period of custody and clean antecedents of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Muzaffarpur in connection with Siwaipatti P.S. Case No. 90 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be



cancelled by the court concerned.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

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