

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59823 of 2021

Arising Out of PS. Case No.-637 Year-2021 Thana- ARARIA District- Araria

Md. Jamal @ Jamal S/O Late Rahman R/O Village-Araria Basti Beldari Tola
Ward No.07, P.S-Araria (Bairgachhi), District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64401 of 2021

Arising Out of PS. Case No.-637 Year-2021 Thana- ARARIA District- Araria

Md. Belal @ Belal Son of Salim Ansari @ Md. Salim Ansari Resident of
Village - Araria Basti Bairgachhi, P.S.- Bairgachhi O.P. (Araria), District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 59823 of 2021)

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

(In CRIMINAL MISCELLANEOUS No. 64401 of 2021)

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in a case registered for the



offences punishable under Sections 413, 414/34 of the Indian Penal Code.

As per prosecution case, in brief, is that on 26.07.2021 at 11.30 A.M. the informant Bimal Kumar Mandal, P.S.I. of Araria P.S. got information from investigating officer Sri Sanjeev Kumar, A.S.I. of Araria Police Station that wanted accused Faizal Murtaza in his confessional statement has disclosed the name of his criminal associates Albader, Jamshed and the said accused persons after committing theft of red colour bullet motorcycle from Ashram Road handed over the same to md. Belal for selling out then the informant alongwith other police personnel came at the betal shop of Belal and on inquiry Belal disclosed that co-accused Faisal Murtaza, Albader and Jamshed with the help of co-accused Md. Raja and Sahnawaz has sold the bullet motorcycle to petitioner md. Jamal, the scrap shop keeper who has dismantled the bullet motorcycle and sold out its part. Thereafter accused Belal was arrested and on whose instance the petitioner Md. Raja and Jamal is also arrested, both have also stolen away one while colour Bullet Motorcycle but due to dispute, the same motorcycle hide into canal water, Gaiyari and thereafter the informant along with police personnel has recovered the bullet



motorcycle from the said canal.

Learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case only on the basis of suspicion. He further submits that in fact there is no recovery from the possession of the petitioner (Md. Jamal @ Jamal) and on the basis of confessional statement of accused (Md. Belal @ Belal), the bullet motorcycle has been recovered.

Learned APP for the State on the basis of the material on record and the case diary, submits that there is sufficient material against the petitioners that they are running a gang.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail in connection with Araria P.S. Case No. 637 of 2021 pending in the Court of learned Chief Judicial Magistrate, Araria.

Prayer is refused.

(Rajesh Kumar Verma, J)

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