

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65328 of 2021

Arising Out of PS. Case No.-547 Year-2019 Thana- KANTI District- Muzaffarpur

MD. HASNAIN Son of Md. Sabir Resident of Village - Sadatpur, P.S.- Kanti,
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 411, 413 and 414 of the Indian Penal Code.

As per the prosecution case, two persons on a motorcycle made an attempt to flee away from the place, however one of them was caught and he disclosed his name as Gopi Kumar. He further disclosed that it was the petitioner who had managed to escape and that the motorcycle was a stolen property having been stolen by the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession nor was the petitioner arrested on the



spot. The only material against him is the statement of a co-accused made before police. The cause of false implication of the petitioner is his antecedent. The petitioner is in custody since 19.6.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested on the spot and having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Kanti P.S. Case no. 547 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate II West, Muzaffarpur.

(Partha Sarthy, J)

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