

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14000 of 2023

Arising Out of PS. Case No.-265 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

NOORSHAD @ DON @ NURSHED @ NOORSHAD ALAM S/O MATIUR
RAHMAN Resident of village- Pothimari Jagir, P.S.- Kochadhaman, District-
Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 413, 414 of
the Indian Penal Code.

Prosecution case relates to recovery of one stolen
motorcycle bearing Registration no. BR-37-6847 from
possession of the co-accused namely, Rahil which is alleged to
be purchased from this petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case.
Petitioner has no concern with the alleged recovery of stolen
motorcycle and his name has been transpired in this case on the
basis of confessional statement of co-accused namely, Md. Rahil



who is already getting the privilege of bail granted by a co-ordinate Bench of this court vide order dated 12.12.2019 passed in Cr. Misc. no. 82652 of 2019. No any stolen material has been recovered from conscious possession of this petitioner rather he was arrested in Kochadhaman P.S. Case No. 346 of 2021 and remanded in this case. Moreover, the petitioner is languishing in judicial custody since 21.5.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner has got several criminal antecedent.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of the custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kochadhaman P.S. Case No. 265 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Kishanganj.

(Sunil Kumar Panwar, J)

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