

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26454 of 2023**

Arising Out of PS. Case No.-120 Year-2023 Thana- RAJAOLI District- Nawada

Tanbir Alam @ Chunnu Son Of Md. Mokatar Alam @ Mokhtar Alam  
Resident Of Village-Andharwari, P.S.-Rajauli, District-Nawada

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Rajeev Nayan, Advocate  
For the Opposite Party : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      24-05-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rajauli  
P.S. Case No. 120 of 2023 dated 21.02.2023, instituted for the  
offences punishable under Sections 413 and 414 of the Indian  
Penal Code.

3. The prosecution case, in short, is that on  
21.02.2023, at about 2:40 pm, the informant raided petitioner's  
house based on the information of possession of stolen property  
and recovered one motorcycle without requisite documents and  
the said motorcycle was alleged to be stolen by petitioner and  
co-accused persons.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has falsely been implicated in this



case. It is submitted that nothing has been recovered from the possession of the petitioner rather the fact is that police chased the rider of the motorcycle in question and the rider left the motorcycle in the passage of petitioner's house and when police asked the name of the persons, who fled away from there, the petitioner showed the ignorance, hence, the petitioner was implicated in this case. Lastly, it has been submitted that the petitioner is in custody since 22.02.2023 has one criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Nawada in Rajauli P.S. Case No. 120 of 2023, subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without



sufficient reason, his bail bond shall be cancelled by the Court below.

ii. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

iii. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

iv. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Khatim Reza, J)**

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