

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26488 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- MIRGANJ District- Purnia

MD ARIF @ SEKH ARIF HUSSAIN SON OF LATE SAJUL @ SEKH
SAIDUL HAK RESIDENT OF VILLAGE RANGPURA (RANGPURE) PS
MIRGANJ ,DISTRICT PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 379/411 of the IPC.

Allegedly, one stolen motorcycle is alleged to have been
recovered from the back side of the house of the petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. No incriminating article has been recovered from the
conscious physical possession of the petitioner. There is no
evidence against the petitioner in the case diary. It is further



submitted that the petitioner is doing business in Forbisganj (Araria) and on the alleged date, he was not in the house from where recovery is said to have been made. The same motorcycle was recovered from a street in back of the petitioner's house, which is accessible by anyone. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mirganj P.S. Case No.182/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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