

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30694 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- MADHEPUR District- Madhubani

MD. NAUSAD Son of Late Ali Hussain @ Late Ali Hasan @ Late Abdul Hasim Resident of Village - Pipra (Ramchandra), P.S.- Madhepur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2023 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Madhepur P.S. Case No.15 of 2023 registered for the offence under Sections 413 and 414 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 21.01.2023.

The allegation against the petitioner is to have in possession one motorcycle without any number plate.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case out of misconception of informant, who is police officer. It is also submitted that owner of the bike furnished



affidavit during the course of investigation that petitioner is brother-in-law and out of said relation she provided alleged motorcycle. It is further submitted that registration certificate of owner, namely Sanjila Khatoon, is available on record through annexure no. 3. It is further submitted that affidavit of said effect was also given by the owner, which is annexure no. 4 of the present bail petition. While concluding the argument, it is submitted that petitioner found involved in three more criminal cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and by taking note of the fact as allegation appears doubtful on its face, in view of annexure nos. 3 & 4 of the bail petition coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.01.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Madhepur P.S. Case No.15 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate-Ist Class, Jhanjharpur,
Madhubani/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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