

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.39493 of 2023**

Arising Out of PS. Case No.-180 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Daud Mohhamad @ Md. Daud Son of Late Md. Vakil @ Late Vakil Miyan,  
Resident of Village- Sikarganj, Ward No. 7, P.S.- Sikarganj, District- East  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

**ORAL ORDER**

2      07-07-2023                      Let the defect(s), if any, be removed within two weeks  
from today.

2. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with  
Pakaridayal P.S. Case No. 180 of 2022 dated 10.07.2022, lodged  
under Section 379 of the Indian Penal Code.

4. As per prosecution case, the F.I.R. has been lodged  
against unknown accused persons for the allegation of theft of  
motorcycle.

5. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further  
submits that petitioner has not been arrested in this case rather  
his name has figured in this case by virtue of remand. He also  
submits that nothing incriminating has been recovered from the  
possession of petitioner nor he was put on T.I.P. Learned  
counsel for the petitioner further submits that petitioner is in



custody since 16.09.2022. He further submits that there are 7 criminal cases pending against the petitioner but in this regard he submits that after figuring the name of petitioner in one case he has been remanded in series of cases, prior to that his antecedent was clean. Learned counsel further submits that the section under which the F.I.R. has been lodged is magisterial triable.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-8<sup>th</sup>, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 180 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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