

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41305 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Md. Rustam @ Ashish Patel @ Rustam Ali son of Mukhtar Ahmad @
Mukhtar Ali Village- Hiramani Ps- Chhauradano Dist- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Umesh Lal Verma

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 379 of the
Indian Penal Code.

3. Prosecution case relates to theft of one Fortuner Car
bearing Registration No. JH-01DH-8200 of the informant from
the house of his friend.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on suspicion. The
petitioner is not named in FIR rather his name came into light in
this case on the basis of his self confessional statement before the
police in Beur P.S. Case No. 189 of 2022 and from that case he



has been remanded in this case. It is further submitted that the stolen car has been recovered from Beur P.S. Case No. 189 of 2022 during the course of investigation by the police and in that case petitioner has already been granted bail by this Court vide order dated 17.05.2023. in Cr. Misc No. 18830 of 2023. No any cogent material has come against the petitioner to implicate in this alleged offence. Moreover, he is languishing in judicial custody since 23.09.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Muzaffarpur Sadar P.S. Case No. 196 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

