

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47290 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- KHODAWANDPUR District- Begusarai

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MD. NIYAZ SON OF MD. NAYEEM RESIDENT OF VILLAGE
BARIYARPUR WEST, KHODANWANDPUR, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Dhar Jha

For the Opposite Party/s : Mr.Gulnar Begum

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 03-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Khodawanpur P.S. Case No. 35 of 2023 dated 21.07.2023 registered for the offences punishable u/s 379 of the Indian Penal Code.
4. As per the prosecution case, some unknown miscreants are alleged to have stolen the motorcycle of the informant which was parked in his courtyard.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. The petitioner was remanded in this case from Khodawanpur P.S. Case No. 02 of 2023 on the basis of self-confessional statement. The petitioner is accused in four other criminal cases of similar nature as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that on the basis of the confessional statement of the petitioner, the stolen motorcycle was recovered from the house of the co-accused Rahul Kumar.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Khodawanpur P.S. Case No. 35 of 2023.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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