

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51126 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- TERHAGACHH District- Kishanganj

Abdul Razzaque S/O Md. Nazir Uddin Resident Of Village- Simalmani, P.S.-
Sikki, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 414, 419, 420, 468, 34 of the Indian Penal Code.

The prosecution case, in brief, is that the stolen motorcycle is said to have been recovered from the house of the co-accused Dilshad who disclosed that the said motorcycle was sold by this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of mere supspicion. The stolen motorcycle was recovered from the possession of co-accused Dilshad who confessed that the



petitioner sold the said motorcycle to him and on the basis of his confessional statement, the name of petitioner has been transpired in this case, except this, nothing has been found against the petitioner. Nothing incriminating has been recovered from the possession of the petitioner. Similarly situated co-accused has already been granted bail by a co-ordinate bench of this court vide order dated 20.12.2022 in Cr. Misc. No. 48721 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 29.5.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Terhagachh P.S. Case No. 40 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 Sub-Divisional Judicial Magistrate, Kishanganj.

(Sunil Kumar Panwar, J)

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