

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57887 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- KATORIYA District- Banka

MD. IMTIYAZ @ INTIYAZ ANSARI son of Late Md. Zakir Village-
Dumariya P.S.- Suiya Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-10-2023 Heard Mr. Brij Nandad Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Katoriya P.S. Case No. 164 of 2023 registered for the
offence punishable under Sections 467, 468, 471 and 414 of the
Indian Penal Code.

3. As per the allegation made in the F.I.R., the police
officer had intercepted a motorcycle bearing Registration No.
JH 15Z 7683 from the possession of Raj Hembram and Sanjay
Hembram who in the police custody disclosed that they had
purchased the motorcycle from the petitioner namely Md.
Imtiyaz.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has clean antecedent. He is not



involved in alleged theft of motorcycle. He is a mechanic who runs a garage. The motorcycle has been recovered from the possession of other co-accused named in the F.I.R. On these grounds, the petitioner seeks to be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions as well as nature of allegation made in the F.I.R., it is admitted that the petitioner is a mechanic and recovery of motorcycle has been made from other co-accused named in the F.I.R., the petitioner has, *prima facie*, made out a case to be released on bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoriya P.S. Case No. 164 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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