

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57053 of 2022

Arising Out of PS. Case No.-299 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

MD. MUSLIM ANSARI Son of Late Islam Ansari Resident of Mohalla -
Nakched Tola, P.S.- Town Motihari, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Town P.S. Case No. 299 of 2022, registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

The allegation is regarding unknown thieves having committed theft in the house of the informant, whereafter they had decamped with gold/silver jewelry worth Rs.7 lakh, cash amounting to the tune of Rs.4 lakh and a mobile phone.

The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 09.05.2022. The learned counsel for the petitioner has further submitted that only because some cash and jewelry has been recovered from the room of the son of the petitioner, the petitioner has been implicated in the present case, however, the fact remains that the said articles recovered from the son of the petitioner have not been put on Test Identification Parade, hence, he is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that the petitioner is having a clean antecedent and no



looted articles have been recovered from him, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Town P.S. Case No. 299 of 2022.

(Mohit Kumar Shah, J)

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