

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60956 of 2022

Arising Out of PS. Case No.-161 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Md. Naushad Son Of Jainul @ Jainuddin R/O Village- Manikpur Tola,
Laxmipur, P.S.- Bargachi, District- Araria
 2. Imtiyaz Son Of Naimuddin R/O Village- Manikpur Tola, Laxmipur, P.S.-
Bargachi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2023 Heard the learned counsel for the
petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Kotwali (Tilkamanjhi) P.S. Case No.161 of 2022, registered for the offence punishable under Section 379 of the Indian Penal Code.

The allegation levelled by the informant is that on 16.02.2022, while he had parked his motorcycle at the south wall of Sandish Compound and had gone inside the compound, his



motorcycle was stolen by unknown miscreants.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are languishing in custody since 17.06.2022. It is further submitted that though the petitioners are accused in two other cases, but they are on bail in the said two cases. It is also submitted that while the petitioner no.1 was arrested in connection with Araria (Baragachi) P.S. Case No.264 of 2022 and was interrogated, his disclosure has led to recovery of the stolen motorcycle from the co-accused person, namely, Sanjeev. Lastly, it is submitted that neither stolen motorcycle has been recovered from the possession of the petitioners nor they are 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 petitioners and taking into account the materials available on record as also considering the fact that stolen motorcycle has been recovered from the house of the co-accused, namely, Sanjeev, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No.161 of 2022.

(Mohit Kumar Shah, J)

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