

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60698 of 2022

Arising Out of PS. Case No.-713 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Guddu Alam, aged about 20 years, Male, S/o Hakim Ansari R/o Village-
Purshottampur, P.S.- Majhauriya, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

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

The petitioner seeks bail in connection with Turkauliya
(Banjaria) PS Case No. 713 of 2022 registered for the offence
punishable under Sections 414/34 of the Indian Penal Code.

As per the prosecution case, the petitioner has been
arrested along with a motorcycle which is said to be stolen one.

Learned counsel for the petitioner submits that the
petitioner has been implicated on the statement of co-accused,
namely, Umar Nadeem, from whom the recovery has been made.
Other than the statement of co-accused, recorded in police custody,
having no evidentiary value, there is no material to connect the
petitioner with the recovery in-question. Umar Nadeem has been
allowed bail in Cr. Misc. No. 55010 of 2022. Having no antecedents,
the petitioner is in custody since 23-07-2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the fact that
prosecution does not allege any recovery from the petitioner, the
manner of his implication, clean antecedents and period of custody as



also claim based on parity, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate East Champaran at Motihari, in connection with Turkauliya (Banjaria) PS Case No. 713 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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