

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67163 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- BAJPATTI District- Sitamarhi

Raiyan Khan, S/o- Imtiyaz Khan Village- Gangti P.S.- Pupri Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 301 of 2022, lodged on 25.09.2022 under
Section 379 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner and one another with an allegation
of committing theft of the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that
from the bare reading of the FIR, it is crystal clear that the name
of the petitioner and other accused person has figured in this
case by virtue of suspicion only. He submits that nothing has
been recovered from his possession. He further submits that the
the petitioner is in custody since 21.10.2022 and there are six



criminal cases pending against him, but he is on bail in all the six cases.

5. Learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that from the rejection order dated 12.01.2023 passed by learned Additional District and Sessions Judge-IX, Sitamarhi in B.P. No. 1875/2022, it transpires that there are in total six criminal cases relating to the petitioner and almost all cases are relating to theft. He further submits that at the time of considering the bail, this aspect may be taken into consideration that there are six criminal cases pending against the petitioner.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Bajpatti P.S. Case No. 301 of 2022, pending before the learned Judicial Magistrate-1st Class, Pupari at Sitamarhi is hereby rejected,

8. However, the petitioner shall move for regular bail two months after framing of charge, the Trial Court shall release him on bail imposing its own conditions so that he may not evade his appearance during trial.



9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J.)

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