

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73423 of 2022

Arising Out of PS. Case No.-262 Year-2022 Thana- BHAWANIPUR District- Purnia

MD. HARUN SON OF MD. KHUSHO R/O ROUSHANGANJ WARD
NO.1, P.S.- BHAWANIPUR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Bhawanipur PS case no. 262 of 2022,
registered for the offences punishable under Section 379 of the
Indian Penal Code.

The allegation is regarding the motorcycle of the
informant having been stolen by unknown miscreants while he
had gone to the hospital for his treatment. It is also alleged that
the stolen motorcycle was recovered from the house of the
petitioner.

The learned counsel for the petitioner submits that
petitioner is innocent, has been falsely implicated in the present
case and is having a clean antecedent. The learned counsel for



the petitioner has further submitted that the petitioner runs a scrap shop and has got nothing to do with the alleged occurrence. It is also submitted that if at all, anybody is having complicity in the matter, it is the son of the petitioner namely Md. Murtuza, who has already been granted the privilege of regular bail by a co-ordinate Bench of this Court vide order dated 06.04.2023, passed in Cr. Misc. no. 73696 of 2022, hence some sympathy be shown towards the petitioner and he be granted the privilege of anticipatory bail.

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 parties and taking into account the materials available on record as also considering the fact that for the same offence, the son of the petitioner has also been booked and taken into custody, whereafter he has been granted the privilege of regular bail, I deem it fit and appropriate to grant benefit of doubt to the petitioner herein, consequently I deem it appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period



of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Purnea in connection with Bhawanipur PS case no. 262 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

