

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80336 of 2023

Arising Out of PS. Case No.-745 Year-2023 Thana- SIKARPUR District- West Champaran

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MOHAMMAD YUSUF S/o Shekh Ibrahim R/o village- Purainia, P.S.-
Balthar, District- West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Shikarpur P.S. case No.
745 of 2023 instituted for the offences under Sections 413 and
414 of the Indian Penal Code..

3. Prosecution allegation, in short, is that the petitioner
is said to have been apprehended with a looted motorcycle
bearing Registration No. BR-22S-1954.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 08.09.2023 and has one
criminal antecedent in which he is on bail. The petitioner has
falsely been implicated in the present case. Learned counsel for
the petitioner submits that the petitioner has no concern with the



stolen motorcycle. The case is triable by court of Judicial Magistrate. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 14.12.2023 passed in Cr. Misc. No. 80342 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that the similarly situated co-accused has been granted bail by a Coordinate Bench of this Court, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if not framed**, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shikarpur P.S. case No. 745 of 2023.

(Rudra Prakash Mishra, J)

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