

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9241 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- NARPATGANJ District- Araria

Md. Firoz @ Md. Firoz Alam son of Md. Sajjad @ Satto Village- Shyamnagar
W.No-13, Ps- Narpatganj (Bathnaha) Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Narpataganj (Bathnaha) PS Case No. 260 of 2023 dated
18-05-2023, instituted under Sections 461, 379 and 506 of the
IPC.

3. Prosecution story, in short, is that three First
Information Report (for brevity 'FIR') named accused persons,
including the petitioner have stolen the motorcycle of the
informant from his house. The informant has alleged that co-
accused, namely, Md. Abul was driving the said motorcycle,



while petitioner and one other person were found sitting on the rear seat of the said motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the alleged occurrence has taken place on 12-05-2023, whereas the FIR was lodged after delay of six days i.e., on 18-05-2023, without any plausible explanation. Nothing has been recovered from possession of the petitioner. The only allegation against the petitioner is that he was one of the pillion riders of the alleged motorcycle. It is further submitted that the driver of the stolen motorcycle, namely, Md. Abul, is already in custody. Lastly, it is submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria, in Narpataganj (Bathnaha) PS Case No. 260 of 2023, subject to the conditions laid down in Section 438(2) of



the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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