

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16895 of 2024

Arising Out of PS. Case No.-316 Year-2023 Thana- PUPRI District- Sitamarhi

Md Nasim Khan Son of Late Waris Khan @ Md. Waris Khan Resident of
Vill.-Alinagar Bedaul, P.S.-Pupri, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate
For the State : Mr. Dr. Ajeet Kumar, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Pupri
P.S. Case No. 316 of 2023 instituted for the offence under
Sections 413, 414 & 34 of the Indian Penal Code.

3. Prosecution case in short is that petitioner along
with other accused persons were indulged in selling of stolen
motorcycle and there is recovery of two motorcycle from the
orchard.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-07-2023. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner was merely sitting on the motorcycle due to which he has been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail 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 Pupri P.S. Case No. 316 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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