

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13445 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- PATRAKARNAGAR District- Patna

Md. Shahrukh @ Md. Sharukh Son of Late Md. Arshad R/o vill - Gorhatta,
P.s. - Khajekalan, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Arvind Prasad Singh, Advocate
For the State : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Patrakar Nagar P.S. Case No. 103 of 2023 instituted for the
offence under Section 379 of the Indian Penal Code.

3. As per the prosecution case, motorcycle of the
informant was stolen from front of his flat by some unknown
miscreants.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-08-2023. Petitioner
bears five 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 is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Md. Raja, and the same has no evidentiary value. It is submitted that nothing has been recovered from the possession of the petitioner. 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 manner of implication, 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 Patrakar Nagar P.S. Case No. 103 of 2022.

(Rudra Prakash Mishra, J)

Raj kishore/-

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