

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11491 of 2024**

Arising Out of PS. Case No.-151 Year-2023 Thana- PHENHARA District- East Champaran

Md. Nezamuddin Son of Vasi Akhtar Resident of Village/Mohalla- Naya Tola,  
Dhaka, P.S.- Dhaka, Dist.- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2      23-02-2024      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Phenhara P.S. case No. 151 of 2023 instituted for the offences under Sections 379, 413 and 414 of the Indian Penal Code.

3. Prosecution case, in short, is that on 14.10.2023, the informant had parked his motorcycle near medical shop and went inside the shop. When the informant returned, he came to know that his motorcycle was stolen by someone. Thereafter, the informant informed the family members about the occurrence. It is further alleged that the family members of the informant stopped the miscreant near Deokuliya Petrol Pump who disclosed his name as Md. Nezamuddin (Petitioner).

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the



present case only on the basis of suspicion. Petitioner has got no concern with the said motorcycle. Learned counsel further submitted that on perusal of the seizure list it appears that the said motorcycle was recovered near the petrol pump and in fact, no incriminating article was recovered from the possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.10.2023 and has no criminal antecedent.

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, fair criminal antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Phenhara P.S. case No. 151 of 2023.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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