

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28187 of 2024

Arising Out of PS. Case No.-564 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Md. Nasir @ Md. Nishar son of Late Saniruddin Vill- Bhagwan Chowk new
Amirsnand Ps- Katihar nagar district- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with K. Hat
P.S. case No. 564 of 2018 instituted for the offences under
Section 379 of the Indian Penal Code.

3. Prosecution case, in short, is that the motorcycle of
the informant was stolen by some unknown person.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation only on the basis of
confessional statement of the co-accused Md. Royasuddin @
Raju. No incriminating/looted article has been recovered from



the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen motorcycle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.08.2023 and has five criminal antecedents but he is on bail in all the cases.

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 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 K. Hat P.S. case No. 564 of 2018, 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.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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