

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29055 of 2024

Arising Out of PS. Case No.-403 Year-2023 Thana- PATNA RAIL P.S. District- Patna

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AMIR KHAN @ AMIR RAZA KHAN S/O SANJU @ SANJU KHAN R/O
MOHALLA- BATAU KUAN, P.S- CHOWK, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with GRP
PATNA (Patan Sahib) P.S. case No. 403 of 2023 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 an 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 on the basis of CCTV footage. No
incriminating/stolen motorcycle has been recovered from the
conscious possession of the petitioner rather the vehicle in



question has been recovered from Community Hall near Shershah Masjid. Learned counsel further submitted that petitioner has got no concern with the vehicle in question. Charge-sheet has been submitted in this case and there is no chance of tampering with the evidence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.05.2023 and has two criminal antecedents but he is on bail in both 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, charge-sheet already being submitted 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 GRP PATNA (Patan Sahib) P.S. case No. 403 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.

(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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