

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28874 of 2024

Arising Out of PS. Case No.-641 Year-2022 Thana- BAGHA District- West Champaran

Saif Ali Ansari@Saif Ali son of Farman Mian@Farman Ansari Village-
Chhotu Tunia Bishunpur Ward No.12, PS - Manuapul Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Bagaha (Patkhauri) P.S. Case no. 641 of 2022 registered under section 379, 401 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he had parked his motorcycle and had gone for some Court work. On returning, he found his motorcycle to have been stolen by unknown accused persons.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The FIR was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of a co-accused made before police. No incriminating



article has been recovered from the petitioner’s possession, he is in custody since 12.1.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the name of the petitioner transpiring in the confessional statement of co-accused made before police, no incriminating article having been recovered from the petitioner’s possession, grant of bail to the similarly situated co-accused Kanhaiya Mahto vide order dated 8.11.2023 passed in Cr. Misc. no. 57475 of 2023 and the petitioner having remained in custody for 1 year 3 months since 12.1.2023, the Court directs the petitioner to be enlarged on bail in connection with Bagaha (Patkhauri) P.S.Case no. 641 of 2022 on furnishing bail bond of Rs.10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- Ist Class, Bagaha, West Champaran.

(Partha Sarthy, J)

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