

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28533 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- KALYANPUR District- East Champaran

Aurangzeb Alam SON OF ANWAR ALI RESIDENT OF VILLAGE-
KALYANPUR, PS- KALYANPUR, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Atul Chandra

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 400 of 2023 instituted for the offences
under Section 379 of the Indian Penal Code.

3. As per prosecution case, some unknown persons
have stolen the motorcycle of the informant. It is further alleged
that the informant had kept cash of Rs. 30,288, Tab, Mobile and
other articles in his motorcycle's dickey.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the FIR and the same
has been lodged against unknown persons. The name of the



petitioner has come into light merely on the basis of confessional statement of co-accused Rahul Kumar, which has no evidentiary value in the eyes of law. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. The petitioner has remanded in this from another case on 14.12.2023 and since then he is languishing in judicial custody and has one criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as 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 Kalyanpur P.S. Case No. 400 of 2023.

(Rudra Prakash Mishra, J)

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