

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33574 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- DARPA District- East Champaran

Moinul Haque @ Munna, aged about 45 years (M), Son of Jamil @ Sobarati,
Resident of Village- Kilawar, P.S.- Koilawar, Dist.- Bhojpur (Ara).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the Opposite Party : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Darpa
P.S. Case No. 25 of 2024 dated 02.03.2024 registered for the
offences punishable under Sections 379, 411 and 414/34 of the
I.P.C.

3. As per the prosecution case, the petitioner and the
co-accused are alleged to have committed theft of 48 bundles of
aluminum wire which were recovered from a pick-up van. The
petitioner further disclosed that the co-accused Tarique Anwar
and 4-5 unknown accomplice committed theft of electricity wire
in night. He further disclosed that he alongwith Tarique Anwar



and others committed theft of electricity wire in the previous month which he loaded on his pick-up van and carried it near Chhatauni Bus Stand, Motihari.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is himself a victim in this case and he has been cheated by the co-accused Tarique Anwar as the petitioner is a driver of the co-accused Tarique Anwar and who was performing his duty. He had no knowledge that the seized article is a stolen property. No incriminating article has been recovered from possession of the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 03.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Motihari, East Champaran in connection with Darpa P.S. Case No. 25 of 2024.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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