

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56216 of 2024

Arising Out of PS. Case No.-920 Year-2022 Thana- ARARIA District- Araria

Sakib @ Sakib Raja @ Saquib Reza S/o Manjar Alam R/o vill - Dehti, P.S. -
Palasi, Distt - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Araria (Madanpur) P.S. Case No. 920 of 2022, registered on 28.10.2022 for the offences under Sections 413, 414 of the Indian Penal Code.

3. As per prosecution case, co-accused Vikram Kumar was apprehended with stolen motorcycle and he named this petitioner and two other co-accused persons, who were involved in the theft of the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The motorcycle has not been recovered from the person or possession of the petitioner. For the same occurrence, a case



under Section 379 of the Indian Penal Code has been registered by the owner of the motorcycle vide Kursakanta P.S. Case No. 200 of 2022. Apart from these two cases, the petitioner is having criminal antecedent of one case under Section 30(a) of Bihar Prohibition and Excise Act. Learned counsel further submits that there is no material against the petitioner to connect him with the offence as alleged. The petitioner has no concern either with the apprehended co-accused person or with the seized motorcycle and the petitioner has never been involved in the theft of motorcycle.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is accused in two more cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material to show involvement of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Araria/concerned court in



connection with Araria (Madanpur) P.S. Case No. 920 of 2022,
subject to the condition as laid down under Section 438(2) of
the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present
on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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