

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69248 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- GAYA MUFASIL District- Gaya

Shahrukh @ Md. Samir @ Md. Sharukh S/O Md. Salauddin R/O Mohalla-
Noon Ka Chauraha, Gulshan Haidry, Near Crave Yard Sampatchak, P.S-
Khajekalan, Distt.- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Muffasil (Gaya) P.S. Case No. 190 of 2024, registered on 29.02.2024 for the alleged offences under Sections 379/411 of the Indian Penal Code.

3. As per prosecution case, the motorcycle of the informant was stolen from his house in the night and recovery of the said motorcycle was made from this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as he has been remanded from Muffasil P.S. Case No. 193 of 2024 and said motorcycle was recovered on disclosure of the



petitioner as it appears from the report of the police. However, it is not clear that the motorcycle was recovered from possession of this petitioner. The petitioner has been enlarged on bail in Muffasil P.S. Case No. 193 of 2024 and apart from that there is no other case against the petitioner. The petitioner is in custody since 19.03.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the recovery of motorcycle has been made from the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to 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 learned Judicial Magistrate, Ist Class, Gaya/concerned Court in connection with Gaya Muffasil P.S. Case No. 190 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the 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.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

However, the bail bond of the petitioner will be accepted after verification of criminal antecedent and if any other antecedent except Muffasil P.S. Case No. 193 of 2024 is found, the bail bond will not be accepted.

(Arun Kumar Jha, J)

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