

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73556 of 2024

Arising Out of PS. Case No.-452 Year-2023 Thana- BHORE District- Gopalganj

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Ashik Ali @ Gabbu Mian @ Gabu Mian S/O Pappu Mian @ Ahasanul Miyan
R/O Village- Rakba, P.S- Bhore, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in above

case registered for the offences punishable under

Section 414 of the Indian Penal Code.

The prosecution case as per F.I.R is that the

informant being P.S.I of Bhore P.S got a secret

information that petitioner was roaming with the stolen

motorcycle. On getting such information, the informant

proceeded towards and found a person with a

motorcycle. On seeing the police, the accused person

fled away taking the benefits of darkness. The Chaukidar

of the area disclosed the name of the person who fled away as the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was not apprehended from the spot. The petitioner has no concern with the alleged stolen motorcycle and there is no claimant of the alleged stolen motorcycle. The charge-sheet has already been submitted. The petitioner is languishing in custody since 27.06.2024. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be

released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Bhore P.S. Case No. 452 of 2023, subject to the conditions that (i) one of the bailors will be the close family member of the petitioner (ii) petitioner will physically present on each and every date before the trial Court till framing of the charge.

Shageer/-

(S. B. Pd. Singh, J)

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