

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76236 of 2024

Arising Out of PS. Case No.-400 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Mumtaz Shah Son of Alauddin Sah Resident of Village - Nathan Pura, P.S.-
G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with G.B. Nagar P.S. Case No. 400 of 2024, registered for the offences under Sections 303(2), 317(5) and 3(5) of the BNS.

3. As per prosecution case, the motorcycle of the informant was stolen by three youths who were chased by the informant and his villagers. All three were apprehended and handed over to the police along with the stolen motorcycle. Petitioner is said to be one of the apprehended persons.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



implicated in this case merely on suspicion. The petitioner has no role in the alleged occurrence. Petitioner was not named in the FIR. The petitioner has gone for coaching classes and when the petitioner was returning from the coaching, he was apprehended. The petitioner is in custody since 01.08.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet coupled with his clean antecedent, the petitioner above named is directed to 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 ACJM-IV, Siwan/concerned court in connection with G.B. Nagar P.S. Case No. 400 of 2024, subject to the conditions mentioned in Section 437(3) 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.

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

(Arun Kumar Jha, J)

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