

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81084 of 2023

Arising Out of PS. Case No.-841 Year-2023 Thana- KHAJANCHI HAT District- Purnia

MD. NASSIR S/O LATE SAMIRUDDIN RESIDENT OF VILLAGE-
BHAGWAN CHOWK, NEW AMIRABAD, WARD NO. 03, PS. KATIHAR
NAGAR, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 401, 379, 511, 411, 413, 414 of the Indian Penal Code.

3. As per prosecution case, the petitioner is said to have been caught by local people on spot. The police team reached there and detained him who revealed his involvement in vehicle theft. Thereafter at the instance of this petitioner, two motorcycles have been recovered from house of co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. He was arrested on the basis of suspicion. No any incriminating article or stolen motorcycles have been recovered from conscious possession of the petitioner. The alleged seized motorcycles have been recovered from house of other co-accused persons. It is further submitted that the petitioner is languishing in judicial custody since 17.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is habitual offender who along with his associates used to steal vehicles. He has also got five criminal antecedents.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with K. Hat P.S. Case No. 841 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea.

(Sunil Kumar Panwar, J)

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