

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4115 of 2025

Arising Out of PS. Case No.-583 Year-2023 Thana- HARSIDHI District- East Champaran

Anil Sahni son of Hira Sahni Resident of village -Pakariya Tola Kubara PS-
Harsidhi District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Harsidhi PS Case No. 583 of 2023, dated 01-10-2023 instituted
for the offence punishable under Sections 379,413 and 414 of
the Indian Penal Code.

3. The prosecution case in short is that on 01-10-2023
at about 09.00 PM the informant parked his motorcycle bearing
Registration No. BR 05AZ-5569 at the door of Saral Miyan and
went to purchase medicine and when he returned, he could not
find his motorcycle. Thereafter, during course of search, the
informant found that Jakari Miyan @ Jakir Alam and one of this
associates stolen and taken his motorcycle to village Pakariya
whose information was given to the police then the police



reached at village Pakariya along with the informant where the informant identify his motorcycle at the door of the petitioner and the petitioner fled away after seeing the police jeep and Jakari Miyan @ Jakir Alam caught by the police with motorcycle.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is submitted that from bare perusal of the FIR, it would appear that the stolen motorcycle has been recovered from the possession of Jakari Miya @ Jakir Alam near the house of the petitioner, but in the seizure list, it is stated that the alleged motorcycle has been recovered from the premises of the Harsidhi Police station, that can itself falsify the entire prosecution case. Further submission is that nothing has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that one criminal case is pending against the petitioner. The petitioner is in custody since 03-10-2024.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. East Champaran, Motihari, in Harsidhi PS Case No. 583 of 2023, subject to the following conditions:- (i) that the petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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