

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13373 of 2025

Arising Out of PS. Case No.-37 Year-2021 Thana- BAHADURGANJ District- Kishanganj

Anwar Ali @ Md. Anwar S/o Sohrab Ali @ Sorabali Resident of Village -
Balubari, PS - Dighalbank, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bahadurganj P.S. Case No. 37 of 2021 registered for the alleged offences under Sections 419, 420, 467, 468, 413, 414 of the Indian Penal Code.

3. As per prosecution case, police received secret information about trade of stolen motorcycle at certain identified place. Police surrounded that place and three persons on three motorcycles were found on the spot and two of them were apprehended with their motorcycles while 3rd fled away from the spot leaving his mobile phone. The apprehended co-accused persons disclosed the name of the petitioner and other co-accused



persons, who were also involved in dealing with stolen motorcycles. Thereafter, further raids were conducted and number of motorcycles were recovered, one such motorcycle was also recovered from the house of the petitioner.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner surfaced in this case on the basis of confessional statement of co-accused persons and there is no material to connect the petitioner with the offence as alleged. Till date the police has failed to ascertain that recovered motorcycle was a stolen property. Co-accused Babul @ Md. Babul and Sarfaraz @ Laddan have been granted anticipatory bail by different Co-ordinate Benches vide order dated 15.12.2021 and 05.04.2023 passed in Cr. Misc. Nos. 41935 of 2021 and 75160 of 2022, respectively. The petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 02.12.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the stolen motorcycle has been recovered from the house of 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 Chief Judicial Magistrate, Kishanganj/concerned Court in connection with Bahadurganj P.S. Case No. 37 of 2021, 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 bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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