

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39790 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Shekh Babar @ Babar S/O Shekh Manjoor Resident of Village- Dilarpur, P.S-
Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mrs. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Katihar
Town P.S. Case No. 290 of 2024, instituted for the offences
punishable under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, motorcycle
of the informant was stolen by an unknown thief which was
caught in the CCTV footage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of CCTV footage in which he was seen carrying the stolen motorcycle. It is further submitted that the stolen motorcycle has not been recovered from the possession of the petitioner or from his house. The petitioner is in custody since 22.11.2024 but remanded in this case on 24.12.2024 and has got seven criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Katihar Town P.S. Case No. 290 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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