

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53539 of 2025

Arising Out of PS. Case No.-189 Year-2025 Thana- BAHADURGANJ District- Kishanganj

Noor Alam S/o Taslimuddin R/o Village- Laucha, Ward No. 04, P.S.-
Bahadurganj, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bahadurganj P.S. Case No.189/2025 registered for the offences
punishable under Sections 317(2), 317(5), 338, 3(5) of the
B.N.S.S.

3. As per prosecution case, one person namely Abdul
Rahim was apprehended and he disclosed the name of other
miscreants. Thereafter, co-accused Istekhar was apprehended
from his house who disclosed that he purchased the motorcycle
from co-accused Anjar Alam who was indulged in sale and
purchase of stolen motorcycle. When co-accused Anjar Alam
was apprehended, he disclosed the name of the petitioner and
others who are indulged in sale and purchase of stolen
motorcycle after changing registration number. Thereafter, co-



accused Tanweer Alam was also apprehended who disclosed that he handed over the motorcycle to co-accused and the petitioner. Thereafter, co-accused Md. Kamil was apprehended and who also disclosed that he handed over the motorcycle to the petitioner. Thereafter, reading team reached at the house of the petitioner from where stolen motorcycle along with fake registration number was recovered.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Except disclosure of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that the petitioner has no concern with the other co-accused persons. The petitioner is languishing in custody since 21.04.2025 and bears no criminal antecedent. No incriminating article has been recovered from the conscious possession of the petitioner. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of



petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Kishanganj in connection with Bahadurganj P.S. Case No.189/2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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