

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87734 of 2024

Arising Out of PS. Case No.-631 Year-2024 Thana- BIHTA District- Patna

Md. Saheb Kuraishi @ Shaheb Kuraishi @ Md. Saheb son of Md. Firoz
Quraishi village- Qurban ki Masjid, Lalkothi, Ps- Danapur, dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate Mr. Saurav Karn, Advocate Mr. Rishup, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-01-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the
petitioner, apprehending his arrest, in connection with Bihta P.S.
Case No. 631 of 2024 dated 15.07.2024, registered for the
offences punishable under Sections 303(2) and 317(2) of BNS,
2023.

3. As per the allegation, one cow and one buffalo of
the informant was stolen and same were found boarded in the
pick-up van bearing No. BR-01GG-3869 belonging to the
petitioner and as per further allegation, the cattle were stolen by
co-accused Biru Kumar.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner had given his vehicle on hire and he is no way involved in the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has one criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-II, Danapur in connection with Bihta P.S. Case No. 631 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the



disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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