

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89322 of 2024

Arising Out of PS. Case No.-248 Year-2024 Thana- BARGAINIA District- Sitamarhi

Sheikh Tabarakh @ Sheikh Tabarak S/o Sheikh Chulhai R/o Village- Durga
Bhagwati Gan Palika, Ward No.2, PS.- Ganga Pipra, District- RAAuthat, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

ORAL ORDER

2 15-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bairgania P.S. Case No. 248 of 2024 instituted for the offences
under Sections 317(2), 317(4), 317(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that one motorcycle
has been recovered from the petitioner but he failed to produce
valid document in support of the same.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that the petitioner had
purchased the motorcycle in question from one Motiyur



Rahman Khan but the petitioner had no knowledge that the vehicle was stolen one. Except the motorcycle, no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner never participated in the alleged offence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.09.2024 and has no criminal antecedent.

5. Learned A.P.P. 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, clean antecedent as also 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 on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairgania P.S. Case No. 248 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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