

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49340 of 2015

Arising Out of PS.Case No. -23 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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1. Bachelal Yadav @ Mukesh Yadav S/o - Late Chanar Rai R/o - Village -
Benawali, P.S. - Kaleya, District - Bara Nepal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Chhauradano P.S. Case No. 23 of 2015 registered for the offence
punishable under Section 392 of the Indian Penal Code.

Three unknown motorcycle borne criminals intercepted
the motorcycle of the informant which was being driven by Lal
Babu Kumar and at the point of pistol, after snatching key and
mobile, fled away with the motorcycle of the informant. During
investigation, the name of the petitioner transpired in the
confessional statement of co-accused and further looted
motorcycle was recovered from possession of co-accused Yaswant

singh for which another case has been registered.

Submission is of false implication and that the petitioner is in custody since 30.06.2015 but he has not been put on T.I.P. Nothing incriminating article has been recovered from his possession and only on the basis of confessional statement of co-accused, he is suffering in custody. The petitioner is a fisherman and is not a member of any gang and he has made victim of highhandedness of local police.

The learned A.P.P. fairly submits that the petitioner has not been put on T.I.P. but he is an accused in seven more cases.

In the facts and circumstances stated above, considering that the petitioner is not named in the F.I.R. and he has not been put on T.I.P. and nothing incriminating article has been recovered from his possession and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate, Raxaul at Motihari, East Champaran arising out of Chhauradano P.S. Case No. 23 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned

and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

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