

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16409 of 2015

Arising Out of PS.Case No. -83 Year- 2013 Thana -GOPALPUR District- BHAGALPUR

1. Chhotu Yadav @ Purushottam Yadav Son of Ramratti Yadav resident of Village- Iatra, P.s Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Dr.Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-06-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Gopalpur (Rangra)P.S. Case No. 83/13 for the offence punishable under section 379 of the Indian Penal Code.

The prosecution case, in brief, is that the informant on 5-4-2013 at 10.30 P.M. went to see off a person on a motorcycle, and on the way at Dumaria when he found his motorcycle to be without petrol, he locked the motorcycle to bring petrol ,and when he returned back he found his motorcycle missing.

It has been submitted on behalf of the petitioner that the petitioner is not named in the F.I.R. Neither any T.I. Parade has been conducted nor there is recovery of any incriminating article from the possession of the petitioner.

Further, it is submitted that the petitioner is in custody

since 23-12-2014.

Further, the attention of this Court is drawn to Annexure-3, which indicates that the local police had forcibly seized the vehicle of the brother of the petitioner, and in respect to that ,the brother of the petitioner moved the court below for release of the said vehicle. The ordersheet indicates that the seizure of the vehicle of the brother of the petitioner was forcibly made by the local police, and it is alleged that for the purpose of harassment, the petitioner has been made accused in the present case.

On behalf of the State it has been submitted that the name of the petitioner has appeared in course of investigation, and he has played an active role.

Considering the facts and circumstances of the case, let the petitioner Chhotu Yadav @ Purushottam Yadav be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge III, Naugachia, Bhagalpur in Gopalpur(Rangra)P..S Case No. 83/13 G.R. No. 394A/20-13.

(Sudhir Singh, J)

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