

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44312 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -BHAWANIPUR District- PURNIA

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1. Nawal Yadav @ Bhaso Yadav, S/o Ratandev Yadav, village- Pakilpar,
P.S.- Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. A.Dayal (App)

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

4 27-01-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 392 of the I.P.C

Allegedly, at the point of pistol two miscreants
snatched motorcycle, cash of Rs. 11,000/- and Nokia mobile from
the informant. During investigation co-accused Kabir Yadav
confessed his guilt and from his possession looted mobile was
recovered, whereas, from possession of the petitioner looted
motorcycle was recovered and the petitioner also confessed his
guilt.

Submission is of false implication and that the
petitioner is in custody since 16.05.2015 but he has not been put

on the test identification parade, the petitioner purchased the said motorcycle from Kabir Yadav on valuable consideration of Rs. 35,000/- and the sale letter was also executed by Kabir Yadav and as such the petitioner being the bonafide purchaser deserves sympathetic consideration as he has got no criminal antecedent.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering custody of the petitioner and further that he is claiming the said motorcycle as purchaser from the co-accused and as such the petitioner is directed to 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 C.J.M. Purnea in Bhawanipur (Balua) P.S. Case No. 80 of 2015, subject to the conditions that one of the bailors must be a 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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