

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28501 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -BIHIYA District- BHOJPUR

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Chhotu Kumar, son of Sheo Bali Yadav, resident of Village: Jamua, P.S:
Bihiya, District: Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate

For the Opposite Party : Mr. Sri Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 18-10-2016 Heard learned counsel for the petitioner as well as

learned APP for the State.

Informant claims that he had gone in connection with
the investigation of Bihiya P.S.Case No.47 of 2016 and in the
meantime three persons came on a motorcycle and seeing the
informant and other police officers two persons managed to escape
from there whereas petitioner along with motorcycle was caught
on the spot. The petitioner could not produce any document
relating the aforesaid seized motorcycle.

Learned counsel appearing for the petitioner
submits that petitioner has been roped in this case at the instance
of Bhikhari Yadav and Rajendra Kumar Yadav who happened to
be the co-villager of the petitioner and seizure list witnesses of the

present case. It is further submitted that as a matter of fact nothing was recovered from the conscious possession of the petitioner and he has been remanded in several cases which have been mentioned at para-3 of the petition. It is also pointed out that even after completion of the investigation, police could not succeed to establish this fact that the recovered motorcycle was the stolen property.

Considering the aforesaid facts and circumstances as well as the submission of the parties, let the above named petitioner 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 ACJM-V, Bhojpur at Ara in connection with Bihiya P.S.Case No.53 of 2016.

(Hemant Kumar Srivastava, J)

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