

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31439 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

1. Mritunjay Yadav S/o Late Dinanath Yadav, R/o vill-Gudri Hata P.S.
Siswan, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code.

The prosecution case is that the informant being the Police Officer during patrolling gave signal to two motorcycles to stop. One motorcyclist tried to escape from the scene when one persons was apprehended with the motorcycle, who disclosed his name as Bachu Singh @ Abhishekh Kumar Singh, who failed to produce any document with regard to motorcycle and he accepted that the said motorcycle was given to him by Chotu Singh @ Ankit Singh and petitioner Mritunjay Yadav and the motorcycle is stolen one. On the other motorcycle Ramjee

Singh and Raju Singh were travelling, who escaped from the scene.

It is submitted by the learned counsel for the petitioner that except the statement of the apprehended co-accused there is no evidence collected against the petitioner. Admittedly, the petitioner was not travelling on the stolen motorcycle. The apprehended accused stated that the motorcycle was given to him by Chotu Singh @ Ankit Singh and Mritunjay yadav and was going to sell the stolen motorcycle along with Ramjee Singh and Raju Singh, who escaped from the scene. Co-accused Raju Kumar Singh @ Raju Singh, who was travelling on the stolen motorcycle with apprehended accused have been granted bail by a Co-ordinate Bench of this Court vide Cr. Misc. No. 8466 of 2016.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Siwan in connection with Raghunathpur P.S. Case No. 128 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted on filing affidavit to the effect that he will regularly co-operate in the investigation. Non-co-operation in the investigation will give liberty to the learned Court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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