

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30244 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -BUXAR District- BUXAR

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Anish Kumar Yadav S/o Sri Motilal Yadav Resident of Village - Tikri
Chitbaragaon, P.S. - Ballia Kotwali, District - Ballia (U.P.)

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
18.05.2017 in connection with Buxar Town P.S. Case No.119 of
2017 for offences punishable under Section 379 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he left his motorcycle in the court premises and went to
work and on return he found his motorcycle missing.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and bears no
criminal antecedent and during the investigation his name
surfaced. He submits that nothing has been recovered from his



conscious possession and it is only on the confessional statement of co-accused, he has been made accused. It has been submitted that one of the accused have been granted privilege of bail by this Court in Cr. Misc. No. 30439 of 2017 on 07.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar Town Case No. 119 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

Devendra/-

(Nilu Agrawal, J)

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