

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28866 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. PAWAN KUMAR YADAV @ PRAKASH YADAV @ PAWAN KUMAR @ PAWAN YADAV Son of Sri Kare Yadav @ Vikram Yadav @ Jaichand Yadav, Resident of Village- Gerawari, Naya Toal, P.S.- Korha, district- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 11.02.2017 in connection with Begusarai Town P.S. Case No. 72 of 2017 for offences punishable under Sections 379, 411, 414 of the Indian Penal Code and Section 30(A) of Bihar Prohibition of Excise Act.

The prosecution case, as lodged by the Sub-Inspector of Police is that on information that theft has been committed in the market place, the informant went to the place of occurrence and was informed by one Awani Kumar that he had come to take out money from his mother's account from Bank of Baroda and after



purchasing few articles, which was kept in the Dickey of motorcycle, he started talking to his friend, the petitioner tried to break open the dickey and was apprehended with the stolen articles which was purchased by the said Awani Kumar along with one bottle of foreign whisky of 180 ml.

It has been submitted by the learned counsel for the petitioner that he is innocent and after being apprehended in the present case, he has been made accused in another case bearing Town P.S. Case No. 39 of 2017 which has been lodged against unknown. He submits that charge-sheet has already been submitted and considering the period of custody, a sympathetic consideration be given.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was caught red-handed with stolen items.

Be that as it may, 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 Additional Sessions Judge-VII-cum-Special Judge, Bihar Prohibition & Excise Act, 2016, Begusarai in connection with Town P.S. Case No. 72 of 2017, subject to the condition that one of the bailors would be a close relative of the



petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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