

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43166 of 2017

Arising Out of PS.Case No. -411 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Manoj Kumar @ Manoj Kumar Yadav Son of Sakal Rai, Resident of
Village-Shankar Saraiya Patsauna, P.S.-Turkaulia, District-East Champaran,
Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Turkauliya
(Raghunathpur) P.S. Case No. 411 of 2017 for offences
punishable under Sections 413, 414, 420 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on information that some persons are in the
market and selling stolen motorcycles, the police conducted a raid
and found five persons with two motorcycles. While all of them
managed to flee away and petitioner was apprehended. He
disclosed the name of other persons who were involved in stealing
and selling of stolen motorcycles. Accordingly, a seizure-list was



prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was only there in the market place and is not involved in stealing of motorcycle. He submits that other offenders have managed to escape but petitioner being innocent, has been made accused and is languishing in judicial custody since 11.07.2017. He further submits that the provision of Section 100 of the Cr.P.C. has not been complied with while preparing the seizure-list.

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

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, East Champaran at Motihari, in connection with Turkauliya (Raghunathpur) P.S. Case No. 411 of 2017, subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating their relationship with the petitioner.

(ii) 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.

(Nilu Agrawal, J)

Rajesh/-

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