

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49191 of 2017

Arising Out of PS.Case No. -127 Year- 2017 Thana -THAWE District- GOPALGANJ

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1. Raju Kumar Yadav S/o- Puran Yadav @ Puran Choudhary R/o Nawada-
Gamharia, P.S.- Yadopur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 05-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Thawe P.S.
Case No. 127 of 2017 for offences punishable under Section 414
of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that the petitioner was apprehended along with stolen
motorcycle. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and no overt act has been committed
by him. He submits that his confession before the police on being
arrested that he had purchased the motorcycle from UP and it was



stolen one, has no evidentiary value in the eye of law. He further submits that charge-sheet has already been submitted and petitioner is languishing in judicial custody since 13.08.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and involved in three more cases of excise matter.

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, Gopalganj, in connection with Thawe P.S. Case No. 127 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, 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 court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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