

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54061 of 2017

Arising Out of PS.Case No. -176 Year- 2017 Thana -LADANIA District- MADHUBANI

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Mukesh Yadav @ Mukesh Kumar Yadav Son of Ramautar Yadav @
Pashupati Yadav, resident of Village- Thalaha Kataha, P.S.- Gol Bazar,
District- Sirha (Nepal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 14-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Ladania P.S. Case No.
176 of 2017 registered under Sections 401 and 379 of the Indian
Penal Code.

Some unknown miscreant is said to have committed
theft of Rs. 20000/- and mobile phone from the shop of the
informant by breaking the lock of it in the night. The stolen mobile
was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner is neither named in the F.I.R. nor any
incriminating article has been recovered from his conscious



physical possession rather the mobile phone was recovered from Ram Janki Mandir, P.S.-Ladania, District-Madhubani. Seizure list also does not bear the signature of the petitioner. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement recorded before the police which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 04.09.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-IV, Madhubani in connection with Ladania P.S. Case No. 176 of 2017.

(Prakash Chandra Jaiswal, J)

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