

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53659 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -BIHIYA District- BHOJPUR

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Nand Kumar Yadav, son of Sri Dashrath Yadav, resident of Village-
Kalyanpur, P.S. Bihiya, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-01-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Section 379 of the Indian Penal Code.

It is alleged that the informant had gone to see dance
and when he returned he could not find his motorcycle which was
parked by the side of the tent.

It has been submitted on behalf of the petitioner that
during investigation of the case. his name has been disclosed by
co-accused Jitendra Yadav in his confessional statement made in
paragraph-13 of the case diary.

Learned A.P.P. has pointed out that Jitendra Yadav has
stated in his confessional statement that he has parked the
aforesaid motorcycle in the house of the petitioner.



Seizure list was prepared which shows that the aforesaid motorcycle has been recovered from the thatched house which belongs to the petitioner. The seizure list has been enclosed as Annexure-2 which bears the signature of Jitendra Yadav but it does not bear the signature of the petitioner. Learned counsel for the petitioner has submitted that Jitendra Yadav just to save himself, has taken the name of the petitioner in his confessional statement. The petitioner is in custody since 17.10.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Noor Sultana, learned Judicial Magistrate, 1st Class, Bhojpur at Ara, in connection with Bihiya P.S. Case No. 79 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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