

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30587 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- ITADHI District- Buxar

Bablu Yadav

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-05-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 379 of the IPC.

The prosecution case got initiated with the written report of Yogendra Prasad Bind submitted before the SHO, Itarhi Police Station to the effect that his Herohonda Pro motorcycle was stolen while parked outside his house on 17.11.2017. The accused persons namely, Tribhuwan Rajbhar and the petitioner Bablu Yadav were seen moving around the house of the informant one or two days prior to the commission of offence. On enquiry, the accused persons including the petitioner assured the informant to return the motorcycle but subsequently they declined.

Learned APP submits that the petitioner is named in the



FIR with specific accusation.

It is submitted by learned counsel for the petitioner that the motorcycle was stolen on 17.11.2017 whereas the written report was submitted on 5.1.2018. There is no recovery from the petitioner and only on suspicion the accusation has been levelled. Statement has been made in paragraph 3 that the petitioner is accused in one other case of similar nature, however, he is on bail in that case.

Considering the suspicious nature of accusation, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Buxar in connection with Itarhi P.S. Case No.5 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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