

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15826 of 2019

Arising Out of P.S. Case No.-60 Year-2018 Thana- KARJAIN District- Supaul *

VIKASH KUMAR YADAV @ VIKASH KR. YADAV, aged about 22 years,
Male, S/o Yogendra Yadav, Resident of Village-Madhura Uttar, P.S.-
Narpatganj (Fulkaha), District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arun, Advocate
	:	Mr. Agreya Pratap, Advocate
For the Opposite Party/s	:	Ms.Anita Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
15.05.2018 in connection with Karjain P.S.Case No.60 of 2018
for the offence alleged under Section 379 of the Indian Penal
Code.

The prosecution case as lodged by the informant is
that while he had gone to see *Mela* and parked his motorcycle
near the gate, on returning he found his motorcycle had been
stolen.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in
the aforesaid case. He submits that the stolen motorcycle is



alleged to have been recovered from the possession of the petitioner for which Fulkaha P.S. Case No.88 of 2018 has been lodged in which the petitioner has already been granted the privilege of bail in Cr.Misc.No.42031 of 2018 dated 24.09.2018. He submits that he is a student of B.A Part-II and the stolen motorcycle was not found in his possession but being present in a commercial market place, he has been caught and falsely implicated. He submits that chargesheet has already been submitted and the petitioner could not be subjected to double jeopardy for the same offence.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of offence and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Karjain P.S. Case No.60 of 2018 to the satisfaction of learned Judicial Magistrate, Ist Class, Birpur (Supaul)

(Nilu Agrawal, J)

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