

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18822 of 2019

Arising Out of PS. Case No.-437 Year-2018 Thana- JOGAPATTI District- West Champaran

RAJU KUMAR YADAV, Gender-Male, Age about 19 years, Son of Ramdhani Yadav @ Ramdhani Resident of Village - Chandraul, Police Station- Nawalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-03-2019 Heard both sides.

The petitioner apprehends his arrest in Yogapatti(Nawalpur) P.S. Case No.437 of 2018 registered under Section 414 of the Indian Penal Code.

The police intercepted a motorcycle bearing registration No.BR-22-8745 and apprehended two persons namely, Ajay Kumar Yadav and Ravindra Kumar. On being asked the apprehended accused did not show any papers to the police. Ajay Kumar Yadav, one of the apprehended accused disclosed on interrogation that he purchased the motorcycle from the petitioner and on such, petitioner has also been made accused in the case.

The learned counsel for the petitioner submits that



there is no other material to show that the petitioner sold the motorcycle to Ajay Kumar Yadav. Petitioner has got enmity with Ajay Kumar Yadav that is why he named the petitioner in the case.

Taking into consideration the facts that save and except the disclosure made by Ajay Kumar Yadav, from whose possession motorcycle was recovered, who disclosed that he purchased the motorcycle from the petitioner, there is no other material to show the involvement of the petitioner in either theft of the motorcycle or to sell the stolen motorcycle to Ajay Kumar Yadav, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti(Nawalpur) P.S. Case No.437 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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