

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19082 of 2019**

Arising Out of PS. Case No.-463 Year-2018 Thana- WARISLIGANJ District- Nawada

SARYUG KUMAR, Son of Kapil Yadav, Resident of Village- Kenasarai,
P.S.- Mufassil, Dist. Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Ms. Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 01-04-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
22.12.2018 in a case registered for the offences punishable
under Sections 414/34 of the Indian Penal Code.

The prosecution case as per the self statement of Md.
Raushan Khan, A.S.I. of Warisaliganj P.S. is to the effect that on
21.12.2018 at about 01.00 P.M., the informant received a secret
information that a person was standing with a stolen motorcycle
near the house of co-accused, Pintu Yadav. Consequently, a raid
was laid and on demand, the petitioner failed to produce any



relevant document with regard to ownership of the motorcycle in question. During investigation, it transpired that the motorcycle in question was found registered in the name of one Abhay Kumar, hence it is suspected that the motorcycle in question is a stolen one.

It is submitted by learned counsel for the petitioner that the alleged recovery has not been made from the conscious physical possession of the petitioner. It is further submitted that the petitioner was simply a tractor driver of tractor of co-accused, Shailesh Kumar and in lieu of his due amount co-accused, Shailesh Kumar gave him the motorcycle in question. Moreover, the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that a stolen motorcycle has been recovered from the possession of the petitioner.

Considering the fact that the investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned
ACJM-II, Nawada in connection with **Warisaliganj P.S. Case**
No.463 of 2018.

(Dinesh Kumar Singh, J)

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