

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17436 of 2019**

Arising Out of PS. Case No.-445 Year-2018 Thana- GAYA MUFASIL District- Gaya

Sharvan Manjhi, Son of Late Dema Manjhi, Resident of Village- Kharhari,
P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 23.12.2018 in a case registered for the offences punishable under Sections 467, 468, 471, 413 and 414 of the Indian Penal Code.

The prosecution case, as per the written report of Sujit Kumar, Station House Officer of Gaya Muffasil Police Station dated 22.12.2018 submitted to the learned Chief Judicial Magistrate, Gaya, is to the effect that on the same day at 11.00 A.M., the informant received a secret information that co-accused Anil Yadav was using the stolen motorcycle in illegal trade of liquor when raid was laid in the house of co-accused Anil Yadav and two stolen motorcycles were recovered, but he did not produce any document with regard to the alleged



motorcycles. Subsequently, co-accused Anil Yadav confessed that he along with his associates used to purchase stolen motorcycles for illegal trade of liquor. Co-accused Anil Yadav further confessed that his cousin Dilip Yadav, petitioner Sharwan Manjhi, co-accused Nand Kishore Yadav and co-accused Ranjan Rajbanshi also used sale stolen motorcycles and on the confessional statement co-accused Anil Yadav, a raid in a community hall was laid where all the three co-accused persons Nand Kishore Yadav, Ranjan Rajbanshi and petitioner were apprehended with stolen motorcycles.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the house of the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery of stolen motorcycle has been made from possession of the petitioner.

Considering the fact that the investigation has already been concluded and recovery has been made from the community hall, coupled with the statement made in paragraph 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
Chief Judicial Magistrate, Gaya in connection with Gaya
Muffasil P.S. Case No. 445 of 2018.

(Dinesh Kumar Singh, J)

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