

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18358 of 2019

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

1. Anil Yadav, Son of Parsadi Yadav, Resident of Village - Kharhari, P.S.- Moffasil, Distt.- Gaya.
2. Nand Kishore Yadav @ Kailu Yadav, Son of Ramphal Yadav, Resident of Village - Kharhari, P.S.- Moffasil, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ehteshamuddin

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioners are 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 on the same day at 11.00 A.M., that the informant received a secret information that the petitioner no. 1, Anil Yadav is using the stolen motorcycle for



illegal trade of liquor, whereupon a raid was laid in the house of petitioner no.2, Anil Yadav and two stolen motorcycles were recovered, and on demanding, he did not produce any document with regard to the two alleged motorcycles. Petitioner No. 1, Anil Yadav confessed that he along with his associates used to purchase stolen motorcycle for illegal trade of liquor. Petitioner No. 1, Anil Yadav further confessed that his cousin Dilip Yadav, co-accused Sharwan Manjhi, petitioner no. 2, Nand Kishore Yadav and co-accused Ranjan Rajbanshi also used sale stolen motorcycles and on the confessional statement petitioner no. 1, Anil Yadav a raid was laid in a community hall where all the three co-accused persons, petitioner no. 2, Nand Kishore Yadav, co-accused Ranjan Rajbanshi and co-accused Sharwan Manjhi were apprehended with stolen motorcycles.

It is submitted by learned counsel for the petitioners that the recovery has been made from the house of the petitioners rather it was made from an open area and a statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

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

Considering the fact that the investigation has already



been concluded and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) each 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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