

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43035 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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MUKESH KUMAR YADAV, Male, aged about 21, Son of Birendra Yadav,
Resident of Village- Baghras, P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Pankaj Kumar Jha, Advocate.
For the Opposite Party : Mr.Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
08.05.2019 in a case for the offence registered under Section
379 of the IPC. Later on, Section 411 of the IPC was also added.

The prosecution story, in brief, is that on 07.05.2019
at 6.00 A.M. when the informant woke up, he found that his
Pulsar Motorcycle bearing Registration No. BR-07Z-2400 was
not parked at its place. He made hectic search but the same was
not traced out.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. The petitioner had no knowledge that the Motorcycle in question is stolen property. He has been made in the present case due to mistake of fact.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 4, Darbhanga, in connection with L.N.M.U. P.S. Case No. 135 of 2019.

(Sudhir Singh, J)

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