

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64333 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- ADAPUR District- East Champaran

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MUKESH YADAV @ MUKESH KUMAR YADAV Son of Binda Prasad
Yadav @ Binda Rai Resident of Village - Fulwari Majhariya, P.S.- Adapur,
District- East Champaran

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.
For the State : Mr. Shyameshwar Dayal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Adapur P.S. Case No.38 of 2019 registered under Sections 379, 413
and 414/34 of the Indian Penal Code.

The accusation is that on receiving the information about
the presence of one person standing with stolen motorcycle at
Bhawnari Tower Chowk, the informant along with other police
personnel reached there and saw a person standing with motorcycle.
On seeing the police party, that person tried to flee away after starting
his motorcycle but he was apprehended, who disclosed his name as
Brajesh Kumar, On making demand of the paper regarding the said
motorcycle, he disclosed that the said motorcycle is stolen one and
the same was stolen by him with the help of his associates, namely,



Sonu Yadav and Mukesh Yadav (petitioner).

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not present at the place from where Brajesh Kumar is said to be apprehended with the stolen motorcycle. In fact, the apprehended accused Brajesh Kumar is the co-villager of this petitioner and, due to that reason, he also disclosed the name of the petitioner as his associate indulged in stealing the motorcycle. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, in connection with Adapur P.S. Case No.38 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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