

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18119 of 2020**

Arising Out of PS. Case No.-52 Year-2020 Thana- BUXAR District- Buxar

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Dheeraj Yadav, Son of Dadan Yadav, Resident of Village - Purab Tola
Korantadih, Ujjar, P.S.- Narhi, Distt - Ballia (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 03-06-2020 The matter has been listed today for consideration

through video conferencing in view of the nationwide lockdown

on account of COVID-19 pandemic.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Buxar
(Town) P.S. Case No.52 of 2020 instituted for the offence
punishable under Section 414/34 of the Indian Penal Code.

The prosecution case lodged by Station House
Officer, Buxar Town Police Station is that he caught two



persons riding on a motorcycle without registration number. One of the co-accused, namely, Shivam Singh, in his confessional statement, is alleged to have implicated the petitioner. Other than the confessional statement of co-accused, the petitioner's counsel submits that there is nothing to implicate the petitioner. The petitioner has no criminal antecedents and he is in custody since 01.02.2020. No incriminating article or motorcycle has been recovered from his possession. The motorcycle, bearing registration No.UP60Z9914, for which the petitioner has been implicated, belongs to his brother-in-law, namely, Sumesh Kumar Yadav, who has even approached the court by filing a petition for release of the motorcycle.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Buxar, in connection with Buxar (Town) P.S. Case No.52 of 2020, subject to the following conditions:



- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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