

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24109 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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Tufani Yadav, aged about 20 years, Male, S/o Lal Mohan Yadav, R/o village-
Badharwa Fatehmahammad, P.S.- Kundwachainpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the State : Ms. Shaheen Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-10-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with
Kundwachainpur P.S. Case No. 22 of 2020 registered for the
offence punishable under Section 414 of the Indian Penal Code.

As per the F.I.R., the case of the prosecution is that
the informant- Police A.S.I. Suresh Chauhan of Kundwa
Chainpur P.S. was on patrolling duty on 27.01.2020 with police
force and during that course at about 18:30 hours when the
informant reached near Nahar chowk of village- Barharwa
Fatehpur, he saw that one rider was coming on a motorcycle
from Dhaka side and the informant said him to stop the rider of
the motorcycle seeing the police force tried to flee away after
turning his motorcycle, but on chase, he was apprehended. The



rider of the motorcycle disclosed his name as Tufani Yadav and on demand of paper of the motorcycle, he has replied that he has no paper with respect to said motorcycle and said motorcycle bearing Registration No.BR 05A-5558 was given to him by his friend Avinash. In presence of independent witnesses, said motorcycle was seized.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It is further submitted that nothing has been recovered from the possession of the petitioner and the police took his thumb impression forcibly on a plain paper and later on converted into confessional statement of this petitioner. He further submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition and petitioner is in jail custody since 28.01.2020.

I have perused the record including the case diary in confessional statement of co-accused. Learned counsel for the petitioner submits that he purchased the said motorcycle from one Avinash Kumar after payment of Rs.7,000/-, but Avinash has not given any paper of the said motorcycle.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the



above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No. 22 of 2020.

(Anjani Kumar Sharan, J)

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