

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13716 of 2021

Arising Out of PS. Case No.-329 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

UPENDRA KUMAR YADAV @ UPENDRA KR YADAV Son of Sri
Bhagwan Yadav @ Potan Yadav Resident of Village and Post - Basudhar,
P.S.- Itarhi, District - Buxar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-08-2021 In view of sudden resurgence of COVID – 19
infection there is limited functioning of the High Court and
therefore the matter has been listed for consideration through
virtual mode.

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

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Buxar (Mufassil) P.S. Case
No. 329 of 2020 registered under Sections 414 and 34 of the
IPC.



The petitioner claimed ownership of the stolen motorcycle which has been parked in P.C. Colony in front of the house of one Indra Shiv Narayan Singh.

Learned counsel for the petitioner submits that he was passing by the place and has been implicated falsely. It is highly unbelievable that anyone himself would claim ownership of the motorcycle knowing the same to be stolen. He is in custody since 12.10.2020 and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 learned Chief Judicial Magistrate, Buxar in Buxar (Mufassil) P.S. Case No. 329 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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