

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31866 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- NAVINAGAR District- Aurangabad

AJIT YADAV Son of Laldeo Singh Resident of Village and P.S.- Obra,
District- Aurangabad (Bihar)

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard Ms. Leelawati Kumari, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Nabinagar PS Case No. 48/2020 registered for the offence
punishable under Section 394 of the IPC.

As per prosecution story, the informant was
intercepted by four miscreants while he was driving his car and
the accused persons on the gun point snatched the said car and
fled away. It is further stated in the FIR that the informant can
identify the criminals.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case by the police
with oblique motive inasmuch as petitioner had surrendered in
Obra PS Case No. 237/2020 and he has been remanded in the



present case from Obra PS Case No. 237/2020 on 25.01.2021 without any material or evidence against the petitioner and just on the basis of information received by the police from spy.

Learned counsel further submits that reference of para-142 of the case diary mentioned in the order impugned wherein it has been stated that the looted vehicle/car having been recovered from the possession of the petitioner is an error of records inasmuch as from para-142 of the case diary, it would be evident that the looted car in question was brought to the police station in connection with Obra PS Case No. 237/2020 and the car was recovered from Madarsa Mohalla near Transformer and not from the possession of the petitioner. She next submits that petitioner is in custody since 25.01.2021.

Learned counsel for the State, after going through para-142 of the case diary, confirms the statement made by learned counsel for the petitioner that the car in question has not been recovered from the possession of the petitioner.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the said car has not been recovered from the possession of the petitioner, petitioner is in custody since 25.01.2021, he has not been put on test identification parade by the police and the



charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, AJIT YADAV 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 learned Additional Chief Judicial Magistrate, 1st Aurangabad in connection with Nabinagar PS Case No. 48/2020.

(Anil Kumar Sinha, J)

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