

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33236 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

PANKAJ YADAV Son of Murahu Yadav Resident of Village- Bhanpur, Police
Station- Durgawati, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-01-2021 Heard both sides.

The petitioner seeks bail in Durgawati P.S. Case No.129 of 2020 registered under Sections 395 and 412 of the Indian Penal Code.

The informant, a truck driver, lodged the case against unknown under Section 395 of the Indian Penal Code alleging therein that six persons came on three motorcycles and looted away his mobile, cash and other articles. The informant disclosed that he saw the registration number of one motorcycle as BR-45E-4360 and also disclosed the brands of other two motorcycles.

The learned counsel for the petitioner submits that the informant disclosed that his Lawa mobile was looted away. One Sukhram Yadav of village Chhaon was found to be using looted



mobile after inserted his own Sim. On such, the house of Sukhram Yadav was searched. His son, Pankaj Yadav was apprehended and on his possession, different mobiles and other articles were recovered. Pankaj Yadav disclosed that he sold the looted mobile to his villager namely, Nitish Kumar. On such, the house of Nitish Kumar was searched and the looted mobile was recovered. It is further submitted that two mobiles were also recovered from the possession of the petitioner but the petitioner is owner of both the mobiles. The recovered mobiles are not looted one. Save and except the fact that the name of the petitioner surfaced in the case in the confessional statement of Pankaj Yadav, there is no material to show the involvement of the petitioner. The motorcycle bearing registration No.BR-45E-4360 was also recovered from the house of Pankaj Yadav, son of Sukhram Yadav. Petitioner has not been put on T.I.P. and he is in custody since 31.05.2020.

Taking into consideration the fact that no looted article was recovered from the possession of the petitioner and the name of the petitioner surfaced in the case in the confessional statement of Pankaj Yadav, son of Sukhram Yadav but petitioner has not been put on T.I.P., let the petitioner, above named, be enlarged 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,
Bhabua(Kaimur) in connection with Durgawati P.S. Case
No.129 of 2020.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

