

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35249 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- DHARHARA District- Munger

CHHOTU KUMAR @ CHHOTU YADAV Son of Rambalak Yadav Resident
of Village- Chharrapatti (Shiv Kund), P.S.- Dharhara (Hemjapur), District-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Ms. Anita Kumari
Singh.

The petitioner seeks regular bail in
connection with Dharhara (Hemjapur) P.S. Case
No. 99 of 2020, registered for the offence
punishable under Sections 414/34 of the Indian
Penal Code.

The allegation is regarding recovery of stolen
motorcycle from the possession of the petitioner,
upon confessional statement made by the
apprehended co-accused person, namely, Ajay
Sao @ Pandav Sao.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 26.06.2020. It is further submitted that the petitioner is a handicapped person and he has been falsely implicated in the present case as also it is submitted that similarly situated co-accused person, namely, Chandan Kumar, from whose house also, stolen motorcycle was recovered, has been granted bail by a coordinate Bench of this Court vide order dated 22.12.2020 passed in Criminal Miscellaneous No. 34049 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the parity of the case of the petitioner with that of the co-accused person, who has already been granted



bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger in connection with Dharhara (Hemjapur) P.S. Case No. 99 of 2020.

(Mohit Kumar Shah, J)

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