

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.37299 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- BHADHWAR District- Gaya

SANJAY PRASAD S/o Late Ganpati Mahto R/o village- Nandai, Tola
Deochanddih, P.S.- Bhadwar, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Smt. Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-07-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office
vide its notes dated 19.12.2020, within four weeks of starting of
Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Bhadwar P.S. Case no. 05 of 2020, registered under
Section 379 of the Indian Penal Code.

The accusation is that in the night of 15/16-
05.2020 motor of informant was stolen. On 17.05.2020, one
motor was recovered from the paddy straw of Ajun Kumar,
who took the motor at his house. Thereafter, Sanjay Prasad
went at the house of Anuj Kumar and told his son that motor is
of Surendra Singh and Sanjay Singh took the motor and
concealed. When informant verified from Surendra Singh



regarding the motor then he told that motor is not belong to him. Thereafter, informant Ram Sewak Prasad gave an application to Police Station regarding habit of Sanjay Prasad and a Panchayati was arranged, but Sanjay Prasad did not come.

Learned counsel for the petitioner submits that, in fact, Dharendra Kumar went with the stolen motor to the house of informant, but he refused to taken the stolen motor. Further submission is that petitioner has falsely been implicated in this case due to dirty village politics. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati at Gaya in connection with Bhadhwar P.S. Case No. 05 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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