

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2841 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- MUFFASIL District- Aurangabad

1. YUGESH KUMAR @ YUGESH YADAV SON OF RAGHO YADAV
RESIDENT OF VILLAGE BISENI, P.O.-KAPASYA, P.S.-MUFFASIL
(AURANGABAD), DISTRICT-AURANGABAD, BIHAR
2. SAILESH KUMAR @ SAILESH YADAV SON OF JAMUNA YADAV
RESIDENT OF VILLAGE BISENI ,TOLA NAVDIHA, P.O.-KAPASYA,
P.S.-MUFFASIL (AURANGABAD), DISTRICT-AURANGABAD.
3. RAJU KUMAR @ RAJU YADAV S/O LALITAR YADAV RESIDENT OF
VILLAGE BISENI TOLA NAVDIHA, P.O.-KAPASYA, P.S.-MUFFASIL
(AURANGABAD), DISTRICT-AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha- Advocate
For the Opposite Party/s : Ms. Meena Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 13-08-2021 Heard Mr. Amarnath Jha, the learned Advocate for

the petitioners and Ms. Meena Singh, the learned APP for the

State.

The petitioners seek bail in anticipation of their
arrest in connection with Muffasil (Aurangabad) P. S. Case
No.89 of 2020, instituted for the offences under Sections 414
and 34 of the Indian Penal Code.

The subject F.I.R. has been lodged by a police
officer alleging that he received information that a stolen tractor
is parked at the house of one Raju Kumar. When a search was



conducted, a tractor was found without requisite papers. On inquiry, it was found that the tractor was a stolen property. During interrogation, aforesaid Raju Kumar disclosed that he had obtained the tractor with the help of the petitioners but after paying the consideration amount. He knew that the tractor was a stolen property and therefore, he never sent it to distant places.

The learned Advocate for the petitioners has submitted that an absolutely false case has been instituted against them. The accusation against them is based solely on the confession of a co-accused person. The petitioners have got no concern with either Raju Kumar or the tractor which he claims to have purchased through agency of the petitioners.

In fact, the sister-in-law of petitioner no.1 had earlier filed a case against the informant and because of such enmity, the petitioner no.1 and his associates viz petitioner nos.2 and 3 have been made accused in this case. There is nothing on the record to trace any link between the stolen tractor and the role of the petitioners in getting it sold to co-accused Raju Kumar.

Regard being had to the facts afore-stated, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of



eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Muffasil (Aurangabad) P. S. Case No.89 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

vikash/-

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

