

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.503 of 2021

Arising Out of PS. Case No.-138 Year-2020 Thana- EKMA District- Saran

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PAPPU YADAV SON OF AKSHAY YADAV @ ACHELAL YADAV
RESIDENT OF VILLAGE- HUSSEPUR TOLA RAM NAGAR, P.S.- EKMA
DIST- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 15-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Ekma Police Station Case No. 138 of 2020, disclosing
offences under Section 414 of the Indian Penal Code.

As per prosecution case, the police party while
patrolling got information that accused persons, namely, Munna
Yadav, Pappu Yadav, Vikky Yadav, Jitendra Yadav and Mantu Yadav
are indulged in offence of transaction of stolen motorcycle after
changing its number plate. The house of the accused persons were
searched and motorcycle were recovered. One motorcycle was also
recovered from the house of the present petitioner but he became
successful in fleeing away. The seizure list of those seized
motorcycle were prepared in the presence of independent witnesses.

The learned counsel for the petitioner has submitted

that the allegation against co-accused, Munna Yadav from whose house the motorcycle was also recovered was granted regular bail by the Court below. He has further submitted that five seizure list of recovery of motorcycle from the house of different accused persons and seizure list of witness are the same.

On the other hand, learned Addl. P.P. has opposed the prayer for bail by submitting that the co-accused person, Munna Yadav, was granted regular bail by the Court below whereas this is a petition for anticipatory bail.

Five places of occurrences were searched by the police raiding party and on each place of occurrence, stolen motorcycle was recovered which shows that the gang was committing the occurrence in a planned and organized manner, I do not find it a fit case for anticipatory bail.

Accordingly, the prayer for anticipatory bail is hereby rejected.

The learned Court below shall consider the regular bail of the petitioner on its own merit, if filed.

(Nawneet Kumar Pandey , J)

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