

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79547 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- ALOULI District- Khagaria

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SUSHIL YADAV Son of AKalu Yadav Resident of Village- Bahore Chak
(Vijaylakh), P.S.- Bakhri, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar, Adv.
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 24-03-2021 Heard Mr. Umesh Kumar, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Alauli P.S. Case No. 151 of 2018

which was initially instituted for the offence under Section

392 of the Indian Penal Code and Section 27 of the Arms

Act but later on the application by the I.O. of the case,

Section 395 of the Indian Penal Code was substituted in

place of Section 392 of the Indian Penal Code.

Learned counsel for the petitioner has submitted

that he has not been named in the F.I.R. but only because



one motorcycle belonging to his father was found at the place of occurrence, he has been made accused in this case. Nothing has been recovered from the possession of the petitioner.

Three motorcycles are said to have been recovered from the place of occurrence.

Learned counsel for the petitioner, therefore, submits that the occurrence took place in a different manner but the police has been groping in the dark.

One of the accused persons of this case has been granted bail by a Bench of this Court.

Considering the afore-noted facts and the nature of accusation against the petitioner as also taking into account that the petitioner has no criminal antecedents, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, 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,



Khagaria, in connection with Alauli P.S. Case No. 151 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

However, the petitioner is directed to participate in the proceedings of the case and any effort on his part to evade the proceedings of the case shall render his bail liable to be cancelled.

(Ashutosh Kumar, J)

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