

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35470 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

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SADA NAND YADAV SON OF LATE BUDHAN YADAV Resident of
Village - Mohalla - ward No.14 Bandh Korahia Parsahi, P.S.- Jaynagar, Dist.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur

For the Opposite Party/s : Ms. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Town Police Station Case No. 313 of 2020, registered for the
offences punishable under Sections 401/379/413/414 of the
Indian Penal Code.

The prosecution case, as per the First Information
Report, is that two persons, going on a motorcycle, were
intercepted by the police and on query, they did not produce the
relevant documents regarding the ownership of the motorcycle
in question and they further disclosed that the motorcycle in
question was stolen one, which was given to the accused
persons by the petitioner and others for the purpose of selling



the same.

Learned Counsel for the petitioner submits that the name of the petitioner has come on the basis of the statement made by arrested co-accused person, from whose possession, the stolen motorcycle was recovered. He further submits that the finding of the learned Incharge 4th Additional Sessions Judge, Madhubani, in the impugned order, that the motorcycle was recovered from the possession of the petitioner, is an error of record, which would be evident from the statement made in the First Information Report. He further submits that the petitioner has got no criminal antecedent and co-accused Vikash Kumar Yadav, from whose possession, stolen motorcycle was recovered, has been granted bail by this Court, vide order, dated 20.12.2021, passed in Criminal Misc. No. 32525 of 2021. He further submits that the petitioner is in custody since 21.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, charge sheet has already been



submitted, co-accused has been granted bail by this Court and the petitioner is in custody since 21.12.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Town Police Station Case No. 313 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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