

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25360 of 2022**

Arising Out of PS. Case No.-176 Year-2021 Thana- BENIPATTI District- Madhubani

Ashok Kumar Yadav Son Of Rajendra Yadav @ Rajender Yadav R/O Village-
Soathgoun, P.S.- Harlakhi, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the office, be
removed within four weeks.

The petitioner is in custody in connection with
Benipatti P.S. Case No. 176 of 2021 under section 379 of the
Indian Penal Code.

As per the allegation in the FIR, the informant along
with his sister entered into the Bank and when they came out,
the motorcycle parked by him had disappeared. He accordingly,
lodged FIR against unknown. Subsequently, in course of
investigation, the name of the petitioner cropped up.



Learned counsel for the petitioner submits that he had no role to play in the matter nor the stolen motorcycle was recovered from his possession rather the same was recovered from accused Santosh Sada who has since been enlarged on bail by a coordinate bench of this Court vide Cr. Misc. No. 11062 of 2022 on 5.5.2022.

Let the same be kept on record.

Considering the fact that stolen motorcycle has been recovered from accused Santosh Sada has been granted bail, he is in custody since 31.8.2021 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhubani, in connection with Benipatti P.S. Case No. 176 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight till the conclusion of trial to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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