

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40393 of 2021

Arising Out of PS. Case No.-525 Year-2020 Thana- RANIGANJ District- Araria

ISHWAR CHAND YADAV @ ISHWAR CHANDRA KUMAR S/o Rajendra
Yadav Resident of Village- Bairakh Ward No.10, P.S.- Raniganj, District-
Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Raniganj Police Station Case No. 525 of 2020, registered for the
offences punishable under Section 379/34 of the Indian Penal
Code.

The prosecution case, as per the First Information
Report, is that the motorcycle of the petitioner was stolen by
two miscreants, who came on a pulsar motorcycle and when the
informant enquired about the persons who stole his motorcycle,
he came to know from the villagers that the pillion rider was one
Dilip Lahri @ Dilip Samrat.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of the alleged recovery of the stolen motorcycle in front of his house. He further submits that the petitioner has been remanded in the present case on 05.02.2021 from Raniganj Police Station Case No. 539 of 2020. He further submits that the petitioner is not named in the First Information Report and he has not been put on Test Identification Parade as yet. He further submits that at the time of seizure of the motorcycle, the procedure prescribed under Section 100 of the Code of Criminal Procedure, 1973, has not been followed.

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 not been put on Test Identification Parade as yet, charge sheet has already been submitted and the petitioner is in custody since 05.02.2021, 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. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Araria, in connection with Raniganj Police Station Case No. 525 of 2020.



This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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