

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43441 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SHUBHAM KUMAR YADAV Son of Binod Yadav Resident of Mohalla-
Gola Road Near- Mahila Thana Kali Kothi, P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Sujata Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nagar P.S. Case No. 02 of 2021 for the offence registered under
Section 379 of the Indian Penal Code.

The case of the prosecution in brief is that on
31.12.2020 at about 9:50 P.M. the informant had parked his
Activa scooty at Sutapatti Dharamsala road and had gone for
having his meal, however, when he returned after 15-20
minutes, he found that his scooty was missing. The stolen
Activa scooty is alleged to have been recovered from the
petitioner while he was driving it.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the



present case, is having a clean antecedent and he is languishing in custody since 06.01.2021. The learned counsel for the petitioner has further submitted that the fact is that the said scooter has not been recovered from the petitioner but he has been falsely implicated with ulterior motive.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur in connection with Town (Nagar) P.S. Case No. 02 of 2021.

(Mohit Kumar Shah, J)

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