

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43413 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- KARPI District- Jehanabad

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KALUT YADAV @ JAI GOPAL YADAV Son of Raghupati Yadav Resident
of Village - Santoshi Bigha, P.S. - Karpi, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard.

The petitioner seeks regular bail in connection with Karpi P.S. Case No. 79 of 2020, registered for the offence punishable under sections 379/411/34 of the Indian Penal Code.

The case of the prosecution in brief is that the informant came to know that his motor, which was stolen three months back, was lying in the police station and that the same has been recovered from the house of the petitioner, whereafter he had gone to the police station and lodged an FIR.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 15.12.2020. The learned counsel for the petitioner has further submitted by referring to paragraph no. 9 of the present petition that no recovery has been made from the conscious possession of the petitioner and it is merely on the basis of surmises and conjecture that the informant has stated in the FIR that his stolen motor was recovered from the house of the petitioner. It is also submitted that the petitioner has been falsely implicated in the present case. Lastly, it is submitted that the petitioner has already been suitably punished on account of the period of custody already undergone by him.

Per contra, Ms. Anita Kumari Singh, the learned APP 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 parties and taking into



account the materials available on record as also considering the fact that the petitioner has categorically stated in the present petition that the stolen motor was not recovered from the conscious possession of the petitioner, apart from the fact that the petitioner is languishing in custody since more than a year, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Arwal in connection with Karpi P.S. Case No. 79 of 2021.

(Mohit Kumar Shah, J)

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