

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50672 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- LADANIA District- Madhubani

MITHILESH KUMAR YADAV @ MITHILESH YADAV Son of Badri
Yadav Resident of Village - Ladaniya, P.S.- Ladaniya, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-04-2022 Heard Mr. Saroj Kumar, learned counsel for the

petitioner and Dr. Mrityunjaya Kumar Gautam, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with
Ladaniya P.S. Case No. 17/2021 registered for the offences
punishable under Sections 414/34 of the Indian Penal Code
1860.

The allegation, as per the First Information Report, is
that two persons namely, Shiv Kumar Singh and Krishna Kumar
were caught hold by the public and one iron cutter, master key
and Motorcycle were recovered from possession of the arrested
accused persons and the same were produced before the Police,
and upon enquiry, the arrested accused persons disclosed that



they were planning to sell the stolen Motorcycle to Mithilesh Kumar Yadav i.e. the petitioner herein and one Raushan Kumar Yadav.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure made by the arrested co-accused persons from whose possession the stolen Motorcycle and other articles were recovered. He further submits that no stolen Motorcycle has been recovered from possession of the petitioner and the petitioner is in custody since 27.01.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the stolen Motorcycle and other articles have not been recovered from possession of the petitioner, the petitioner is in custody since 27.01.2021 having no criminal antecedent and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri Gopal Prasad Gupta, learned Judicial



Magistrate, 1st Class, Madhubani, in connection with Ladaniya
P.S. Case No. 17/2021.

(Anil Kumar Sinha, J)

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