

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40271 of 2020

Arising Out of PS. Case No.-138 Year-2020 Thana- EKMA District- Saran

VICKY YADAV S/o Baidhnath Yadav @ Baijnath Yadav, R/o village-
Hussepur Tola Ram Nagar, P.S.- Ekma, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 31-01-2022 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State through video
conferencing.

The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one
month.

The petitioner apprehends his arrest in connection
with Ekma P.S. Case No. 138 of 2020 registered for offence
punishable under section 414 of the Indian Penal Code.

As per prosecution case, the police party while
patrolling got information that the accused persons, namely,
Munna Yadav, Pappu Yadav, Vicky Yadav (the present
petitioner), Jitendra Yadav and Mantu Yadav are involved in the



offence of transaction of stolen motor cycle after changing its number plate. The house of the accused persons were searched and stolen motor cycles were recovered. One motor cycle was also recovered from the Galiyara of the house of the present petitioner. The petitioner became successful in fleeing away. The seizure lists of those seized motor cycles were prepared in presence of the independent witnesses.

The learned counsel for the petitioner has submitted that five motor cycles were recovered and the seizure lists were separately prepared. The independent witnesses of seizure lists are same.

Five places of occurrence were searched by the police raiding party and on each place of occurrence, stolen motor cycle was recovered, which shows that a gang was committing offence in a planned and organized manner. On similar footing, the anticipatory bail petition of co-accused Pappu Yadav was rejected by this Court, vide Cr. Misc. No. 503 of 2021.

Considering the above mentioned facts and circumstances, it is not a fit case for anticipatory bail and accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove,



failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey , J)

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