

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63885 of 2021**

Arising Out of PS. Case No.-304 Year-2021 Thana- KHAIRA District- Jamui

JANKI YADAV S/o Jivlal Yadav R/o village - Bojhagat, P.S.- Khairo,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 401 and 414/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.09.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of two motorcycles from the
house of the petitioner on disclosure made by Brajesh Kumar
from whose house 55 bottles of liquor and three motorcycles
without number plate were recovered.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case. It is not a case of the prosecution that the alleged motorcycle, which were recovered from the house of the petitioner, was stolen one. It is also submitted that had the motorcycle which was alleged to have been recovered from the house of the petitioner were stolen one then definitely an FIR with regard to the same would have been instituted but the FIR does not even remotely suggest that any case regarding theft of the aforesaid motorcycle was instituted which are alleged to have been recovered from the house of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khaira P.S. Case No. 304 of 2021.

(Satyavrat Verma, J)

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