

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65820 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

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JITENDRA YADAV, Son of Surendra Prasad Yadav, Resident of Village -
Tedha Ward No.- 15, P.S.- Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-04-2022 Heard learned counsel for petitioner and learned

counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 401, 420,
379, 467, 468, 413, 414 of the Indian Penal Code.

Informant is the police official, has alleged that he
received a secret information that 2-3 miscreants were coming
on stolen motorcycle, thereafter he along with other police
personnel reached said place and started checking. The
informant further alleged that on 4:20 p.m, two miscreants were
seen coming on motorcycle by covering their face, on signalling
to stop they tried to flee away but police apprehended both the
miscreants. On demand to show the paper of motorcycle they
did not produce any paper regarding the same and disclosed that
the motorcycle is stolen one. On disclosure of the apprehended

persons two stolen motorcycles were also recovered from petitioner's house.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. The name of the petitioner has surfaced in this case on confessional statement of FIR named accused Rakesh Kumar Singh and Durgesh Kumar Paswan. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 21.02.2022 passed in Cr. Misc. No. 44567 of 2021. Petitioner is in custody since 22.02.2021.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail is rejected.

However, petitioner may renew his prayer for bail after framing of charge. If charges have already been framed in this case, petitioner shall be released on bail by the court below itself on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, where the case is pending, in connection with Madhubani Town P.S. Case No. 52 of 2021 subject to the conditions that:-

(1) Both the bailors shall be the resident of

territorial jurisdiction of the learned court-below.

(2) The petitioner shall fully cooperate with the investigation / trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(S. Kumar, J)

Rajiv/veena-

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