

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66277 of 2021**

Arising Out of PS. Case No.-191 Year-2019 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

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate
For the Opposite Party/s :		Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-05-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Madhubani Town P.S. Case No. 191 of 2019
registered for the offences punishable under Sections 413, 414
of the Indian Penal Code. He is in custody since 22.03.2021
having two criminal antecedents as stated in paragraph '3' of the
application.

As per the prosecution story, while the informant
along with other police officials were engaged in vehicle



checking at railway crossing no. 13 then he stopped two persons riding on two motorcycles and on asking to produce regarding ownership of the motorcycles, they were unable to produce the same. The registration number was of any tractor. Informant further alleged that the apprehended accused disclosed that the motorcycle is stolen one and he received his partner namely, Jitendra and Pappu Kumar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the name of this petitioner has been brought in this case on the basis of statement of the apprehended accused who had disclosed that they had purchased the motorcycle from this petitioner.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that this petitioner was not on the alleged stolen motorcycle and his name has been brought in this case on the basis of statement of the apprehended accused who had disclosed that they had purchased the motorcycle from this petitioner and except that statement there is no other material to incriminate the petitioner in the present case, the petitioner has already remained in jail since



22.03.2021, investigation against him is complete and his presence may also be secured in course of trial, therefore, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town P.S. Case No. 191 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

