

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70162 of 2021

Arising Out of PS. Case No.-138 Year-2014 Thana- JAGDISHPUR District- Bhagalpur

MUNESHWAR KUMAR @ MUNESHWAR YADAV S/o Panchanand Yadav
R/o village - Kamla Kund, P.S.- Ismailpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-04-2022 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
offence punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.08.2021, charge-sheet has been
submitted and has antecedent of one case.

The informant alleges that he was intercepted by three
unknown criminal who looted the motorcycle of the informant.

Learned counsel for the petitioner submits that petitioner
has been falsely implicated in the present case. During the course of
investigation, at para 46 of the case diary, it has come that the alleged
looted motorcycle was recovered in Falka (Pothiya) P.S. Case No.
153 of 2014 and the petitioner was arrested in the said case i.e. Falka



(Pothiya) P.S. Case No. 153 of 2014. Further, at para 240 of the case diary, the petitioner has confessed about his participation in the present occurrence. Learned counsel submits that though in the impugned order, it is recorded that the alleged looted motorcycle was recovered in Falka (Pothiya) P.S. Case No. 153 of 2014 but the said motorcycle was released in favour of Ranjeet Kumar Singh. Learned counsel, thus, submits that if the looted motorcycle was recovered then how come the same was released in favour of Ranjeet Kumar Singh which amply demonstrates that the said motorcycle looted in the present occurrence was never recovered.

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 since 29.08.2021, charge-sheet has been submitted and in the nature of allegation, the petitioner, above named, is directed to 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 Jagdishpur (Goradih) P.S. Case No. 138 of 2014.

(Satyavrat Verma, J)

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