

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14786 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- KALYANPUR District- East Champaran

Jitendra Kumar Yadav @ Budhu S/O Sujit Rai Resident of Village- Siswa
Basant, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awnish Kumar, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Kalyanpur P.S. Case No.301 of 2022, registered for offence under Section 414 of the IPC.

The allegation is regarding the informant having received information that a stolen motorcycle was standing in the house of the petitioner, whereafter, he alongwith the police force had reached at the house of the petitioner and found that a green coloured Hero HF-Deluxe Ecco Motorcycle bearing Reg. No.BR-06-CS-6172



was standing in front of the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that admittedly the motorcycle in question has not been recovered from inside the house of the petitioner, hence the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the motorcycle in question has not been recovered from inside the house of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner



is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Kalyanpur P.S. Case No.301 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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