

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23136 of 2023

Arising Out of PS. Case No.-43 Year-2021 Thana- CHANDRADIP District- Jamui

Sukhdeo Yadav @ Sukdeo Yadav S/O- Bodhi Yadav Village- Garbhu Arwar
Nim Nawada Ps- Khaira Dist- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate
For the Opposite Party : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chandradip P.S. Case No. 43 of 2021 dated 05.05.2021 instituted for the offences punishable under Sections 379 of the Indian Penal Code and later on Section 411 of the India Penal Code has been added.

3. The case of prosecution in short is that on 05.05.2021, the informant came to Aliganj Bazar, riding upon his *Apache* motorcycle, bearing registration No. BR5323028. He parked the aforesaid motorcycle in Aliganj Bazar to dispose some work in S.B.I., Aliganj Bazar, but after disposal of his work he had not seen his motorcycle and



started searching the same. He also alleged that his motorcycle was theft by the unknown thief.

4. Learned counsel for the petitioner submits that the petitioner is innocent, aged about nearly 70 years old and he has falsely been implicated in this case. It is submitted that the petitioner is not named in the First Information Report. It is further submitted that as per the report of Investigating Officer, the said stolen motorcycle was recovered from the Cowshed like hut of petitioner, situated in the village of Nim Nawadan but the petitioner belongs to village Garbhu Arwar not Nim Nawada and he has no cowshed like hut in the village of Nim Nawada. Further, it is submitted that neither the petitioner was arrested on the spot nor any incriminating article was recovered from the possession of the petitioner and the petitioner had no knowledge regarding the alleged motorcycle. Lastly, it has been submitted that the petitioner is in custody since 24.01.2023 has no criminal antecedent and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Jamui in Chandradip P.S. Case No. 43 of 2021.

(Khatim Reza, J)

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