

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22837 of 2023

Arising Out of PS. Case No.-511 Year-2022 Thana- OBRA District- Aurangabad

PRAMOD YADAV S/O LALDEO YADAV Resident of Village- Mahadeva,
P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection
with Obra P.S. Case No. 511 of 2022 registered for the offence
punishable under Section 414 of the Indian Penal Code.

There is alleged recovery of stolen motorcycle having
no registration no. from beside the petitioner's house.

Learned counsel for the petitioner submits that
recovery of the motorcycle from beside his house is under
fortuitous circumstance with which the petitioner has no
connection whatsoever. He is not even aware as to who has left
it there and it is most unlikely that having stolen a motorcycle,
the petitioner would be keeping it beside his own house. In fact,
he has been implicated merely because earlier he has been



implicated a the case of Bihar Prohibition and Excise Act bearing Daud Nagar P.S. Case No. 598 of 2021.

Learned APP for the State has opposed the prayer for pre-arrest bail. However, referring to the seizure memo, he is not in a position to dispute recovery from beside the petitioner's house.

Considering the rival submissions and nature of recovery and allegations, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Daud Nagar in connection with Obra P.S. Case No. 511 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is



any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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