

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38777 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- VISHNUPAD District- Gaya

Md. Yuvraj Ali @ Raja @ Yuvraj Ali Son Of Md. Khalil R/O Mohalla -
Jagdish Pur, P.S.- Mofasil, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

3. The petitioner seeks regular bail in connection with
Vishnupad P.S. Case No. 55 of 2023 dated 13.02.2023 lodged
under Sections 461 & 379 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom the
allegation of theft of Pan Masala of company *Rajnigandha Tulsi*
amounting to Rs. 31,00,000/- and cash of Rs.3,50,000/- are
there in the present case.

5. Learned counsel for the petitioner submits that the
F.I.R. has been lodged against unknown accused persons but

apprehension by the informant of about involvement of 6 persons are there in the F.I.R.. Counsel submits that petitioner is not person against whom there is any apprehension made by the informant. He submits that petitioner is driver of the vehicle and on the said vehicle, the alleged theft material loaded which was apprehended from the petitioner.

Counsel further submits that he is truck driver and used to drive truck for his agency. On the instruction of agency, he is delivering the goods from one place to another. Counsel submits that he is completely unaware of the fact that the said goods are subject to theft.

Counsel further submits that petitioner is in custody since 20.02.2023 having clean antecedent. Counsel also submits that the alleged seizure list has been made in gross violation of Section 100 of Cr.P.C. Counsel submits that charge-sheet has already been submitted in this case.

Counsel further submits that the other co-accused person has been granted bail by the Co-ordinate Bench of this Hon'ble Court vide order dated 24.06.2023 passed in Cr. Misc. No.36523 of 2023.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class -cum- A.M. 2nd, Gaya in connection with Vishnupad P.S. Case No. 55 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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