

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44492 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- KOTHI District- Gaya

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BINDESHWARI YADAV, Son of Madho Yadav, Resident of Village- Dumara
Bigha, P.S.- Amba, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Kothi P.S. Case No. 115 of 2022, dated 15.12.2022 registered
for the offence punishable under Section 379 of the Indian Penal
Code.

3. The main submissions advanced by learned
counsel Mr. Bindeshwar Prasad Singh appearing for the
petitioner are that the instant matter relates to the theft of a
Mahendra Scorpio Vehicle and informant lodged the FIR against
unknown persons and during investigation the said vehicle was
found in the possession of this petitioner, in fact the petitioner
purchased the alleged vehicle from one namely, Govind Kumar
Vishwakarma, regarding which an affidavit-cum-sale deed was



also executed and its copy has been filed along with this petition vide Annexure-3 and at the time of recovery the petitioner was holding his possession *bona fide* over the said vehicle and he had no knowledge about the said vehicle being stolen and moreover the petitioner has been languishing in jail since 02.03.2023 having fair and clean antecedent and against him the investigation has been completed and the alleged offence is triable by the court of First Class Magistrate.

4. Learned APP Mr. Anant Kumar 1 appearing for the State has opposed the prayer for bail.

5. Having regard to the facts and circumstances of this case and considering the above submissions, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in connection with Kothi P.S. Case No. 115 of 2022.

(Shailendra Singh, J.)

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