

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54050 of 2022

Arising Out of PS. Case No.-246 Year-2021 Thana- BAJPATTI District- Sitamarhi

GAUTAM KUMAR YADAV @ GAUTAM KUMAR S/O PURSHOTTAM
RAY @ PURSHOTTAM YADAV Resident of village- Paktaula, P.S.- Dumra,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.09.2021, it is next submitted that petitioner has antecedent of five cases.

The informant alleges that three motorcycle borne criminals intercepted him and looted his motorcycle after assaulting him.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that the motorcycle was recovered from the place of occurrence itself, as such, the allegation that criminals tried to loot his motorcycle stands falsified.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that since on alarm the villagers gathered, as such, the accused persons had no option but to leave the motorcycle and they fled from the place of occurrence, it is next submitted that petitioner has antecedent of five cases and there is a possibility that in the event, if bail is granted he will abscond.

Considering the submission made by the learned A.P.P., the Court is not inclined to release the petitioner on bail.

However, the petitioner will be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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