

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64675 of 2023

Arising Out of PS. Case No.-109 Year-2021 Thana- PALIGANJ District- Patna

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Mahesh Yadav @ Mahesh Kumar Son Of Amarnath Yadav Resident Of
Village- Shiva Bigha, Ps- Kalpa, Distt- Jehanabad. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Parashuram Singh, learned counsel

appearing on behalf of the petitioner and Mr. Navin Kumar

Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Paliganj P.S. Case No.109 of 2021 dated 17.03.2021
registered for the offence punishable under Sections 395 and
411 of the Indian Penal Code.

3. The allegation made against unknown persons in
the FIR is that they stole a vehicle bearing Registration No.
BR01GD6220, which belongs to the informant.

4. Learned counsel appearing on behalf of the
petitioner submits that FIR has been lodged against unknown
persons. On the basis of confessional statement of co-accused,
name of the petitioner has figured in the present case. Petitioner
is innocent and has committed no offence.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that the stolen vehicle has been recovered from the arrested accused and not from the possession of the petitioner, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Danapur, Patna in connection with Paliganj P.S. Case No.109 of 2021 dated 17.03.2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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