

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73302 of 2022

Arising Out of PS. Case No.-275 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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MANOJ KUMAR @ GABBAR YADAV @ GABAR S/o Mannu Yadav R/o
Village- Badhai Tola, Mashaurhi, P.S.- Mashaurhi, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Priyaranja Kr.
	:	Mr. Mukesh Kr., Mr. Nitish Kr.
For the Opposite Party/s	:	Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 379 of the
Indian Penal Code.

Prosecution case relates to theft of a tempo bearing
Registration No. BR-02PB-3211 which was parked near his
house.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Neither the petitioner was
arrested on spot nor any incriminating article has been
recovered from his conscious possession. As a matter of fact, the



petitioner was remanded in this case from a case Masaurhi P.S. Case No. 637 of 2021. It is further submitted that no any consistent material has come against the petitioner to show his complicity in the alleged offence. Moreover, the petitioner is languishing in judicial custody since 23.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Magadh Medical P.S. Case No. 275 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya.

(Sunil Kumar Panwar, J)

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