

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6406 of 2024

Arising Out of PS. Case No.-123 Year-2023 Thana- DARBHANGA RAIL P.S. District-
Samastipur

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Surendra Yadav @ Sunil Yadav Son of Late Rajendra Yadav Resident of
Village-Bhojpandaul Gajwa Chakla, P.S.-Wisfi, Distt.-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Abhay Shanker Singh, Advocate
For the State	:	Mr. Yogendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Rail
Darbhanga (Jaynagar) P.S. Case No. 123 of 2023 instituted for
the offence under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant
had parked his scooty bearing Registration No. BR-06AT-1399
outside the railway station, but when he returned back he did not
find his scooty. The informant tried to search his scooty
unsuccessfully.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 24-07-2023. Petitioner
bears four criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the F.I.R. Name of the petitioner has been surfaced in this case by identification via CCTC footage. The alleged purchaser of the scooty, namely, Kamal Mahto, has been granted bail by the learned Court below itself.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rail Darbhanga (Jaynagar) P.S. Case No. 123 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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