

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50897 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- BANKA District- Banka

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1. Vishal Prasad Yadav @ Vishal Kumar Son of Prakash Yadav Resident of Village - Masudanpur, P.S.- Masudanpur, District - Bhagalpur
 2. Deepak Kr. Yadav @ Deepak Kumar Son of Brahmdeo Yadav Resident of Village - Masudanpur, P.S.- Masudanpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with Banka P.S. Case No. 39 of 2024, registered for the offences punishable under Section 379 of the IPC.

3. As per allegation, the informant, after discharging his duty in the electricity office, was returning to his home. In the meantime, he parked his vehicle at *Chaumuhani* Bridge and went to attend the call of nature. When he returned, he saw that his motorcycle has been stolen away.

4. The learned counsel for the petitioners has



submitted that the petitioners are innocent and have falsely been implicated in this case due to village politics. It has further been submitted that the petitioners are not named in the FIR and no motorcycle has been recovered from their possession. They are under custody since 22.03.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that from perusal of paragraph 20 of the case diary, it appears that the stolen motorcycle was recovered from possession of petitioner no. 2.

6. Petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 is a person of clean antecedent.

7. Considering the above-mentioned facts and circumstances, let the petitioner no. 2 above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 39 of 2024, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

8. So far as petitioner no. 1 is concerned, he is directed to furnish bail bond **after four months from today** and



on doing so, the court below shall release the petitioner no. 1 on
the same terms and conditions as mentioned with regard to
petitioner no. 2.

(Nawneet Kumar Pandey, J)

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