

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50193 of 2024

Arising Out of PS. Case No.-1120 Year-2023 Thana- AGAMKUAN District- Patna

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Awdhesh Yadav S/o Vinesh Singh Resident of Sabalpur Gulmahiyachak,
Naya Tola, PS Nadi District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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

ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner and

learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S.

Tr. No. 273 of 2024 arising out of Agamkuan P.S. Case No.

1120 of 2023 instituted for the offences under Sections

413/414 of the Indian Penal Code.

3. As per prosecution case, the police has caught

the accused petitioner with a theft motorcycle. On search,

the police recovered four keys of different company with a

key-pad mobile phone from his possession. On query, he

stated that the caught motorcycle is one of Munna Chak,

which he was taking to his village but, was arrested by the



police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents of similar nature of offences but, in both of them, he is on bail and is languishing in judicial custody since 21.11.2023 without any rhymes or reason. The charge has been framed against the petitioner on 4.04.2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and the offence alleged is serious in nature and thus, he does not deserve bail by this Court.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the



petitioner, let the petitioner, abovenamed, 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 S. Tr. No. 273 of 2024 arising out of Agamkuan P.S. Case No. 1120 of 2023.

(Rudra Prakash Mishra, J)

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