

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79145 of 2023

Arising Out of PS. Case No.-156 Year-2022 Thana- GAUNAHA District- West Champaran

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HARILAL YADAV S/O LATE MAHANTH YADAV R/O VILLAGE-
LACHNAUTA, PS. GAUNAHA, DIST. WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

: Mr. Manaur Alam, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 05-03-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Gaunaha P.S. Case No. 156 of 2022 registered for the offences punishable under Section 379 of the Indian Penal Code.
3. The allegation against the petitioner is to steal a buffalo and fled away on a Pick-Up van. .
4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner has been falsely implicated with the present case. It is submitted that nothing has been recovered from the conscious physical possession or from the house of the petitioner. Learned counsel further submitted that there is no eye witness to the alleged occurrence. It is further stated that there is no allegation of assault against the petitioner. It is further submitted that similarly situated co-accused persons have already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 62158 of 2023 vide order dated 16.10.2023.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact, as there is no recovery of buffalo from the petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Bettiah, West Champaran/concerned Court where the case is pending in



connection with Gaunaha P.S. Case No. 156 of 2022 subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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