

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85336 of 2023**

Arising Out of PS. Case No.-182 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

Vikki Yadav @ Vikash Yadav S/O Late Mallo Yadav Village- Choudharidih,  
Ps. Lodipur, Dist. Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      15-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 413, 414 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have been apprehended with a stolen motorcycle bearing Registration No. BR10K-7658.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. In fact, the petitioner was near the seized motorcycle and on basis of suspicion, he was arrested by the police. He has no concern with the recovery of stolen motorcycle. It is further submitted that the seizure list



witness are police official not a single independent witness which violates section 100 of Cr.P.C. Moreover, he is languishing in judicial custody since 19.5.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Mojahidpur (Babarganj) P.S. Case No. 182 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Bhagalpur.

**(Sunil Kumar Panwar, J)**

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