

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15564 of 2017

Arising Out of PS.Case No. -675 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Vijay Paswan Son of Shri Ram Paswan Resident of Village-Chamainiya
P.S.-Shyampur Bhatha District-Sheohar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
18.11.2016 in connection with Motihari Town P.S. Case No.
675 of 2016 (Town P.S. Case No. 675 of 2016) registered for
the offence punishable under Section 379 of the Indian Penal
Code. Subsequently charge-sheet has been submitted under
Sections 379 and 411 of the Indian Penal Code.

The prosecution case is that the motorcycle of
the informant has been stolen away while he had gone to the
clinic of Dr. Swastik Sinha for the treatment of his sister.

It has been submitted by the learned counsel for



the petitioner that he is innocent and the motorcycle has been recovered from the possession of one Krishna Sah, who has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 10824 of 2017 on 06.03.2017. He further submits that although the First Information Report was lodged against unknown, the petitioner has been remanded in the present case only on the basis of suspicion and that previously two cases were pending against him. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 675 of 2016 (Town P.S. Case No. 675 of 2016), subject to the condition that petitioner will appear before the learned Court below on each and every date and



his failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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