

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5511 of 2019

Arising Out of PS. Case No.-7 Year-2018 Thana- BARAULI District- Gopalganj

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Lakshman Chaudhary @ Lakshuman Chaudhary, aged about 22 yrs. (M),
Son of Mohan Choudhary, Resident of Village - Sohrai, P.S.- Gudhani,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 28-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Barouli P.S. Case No. 07 of
2018 registered for the offence punishable under Sections 414
of the Indian Penal Code.

Allegation against the petitioner is recovery of stolen
motorcycle from his possession.

Earlier the bail application of the petitioner has been
rejected by a co-ordinate Bench of this Court vide order dated
20.07.2018 passed in Cr. Misc. No.32381 of 2018 (Annexure 1).
However, he was granted liberty that he may renew his prayer
for bail after six months of framing of charge.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case at the instance of his enemies. It has further been submitted that no stolen motorcycle has been recovered from the possession of the petitioner. Similarly placed co-accused Durodhan Prasad has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 4. Petitioner has no criminal antecedent and he is in custody since 08.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XIV, Gopalganj in connection with Barouli P.S. Case No. 07 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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