

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5079 of 2019

Arising Out of PS. Case No.-127 Year-2018 Thana- RAXAUL District- East Champaran

Shambhu Chaudhary S/o Janak Chaudhary resident of village- Shyampur
Bazar, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Raxaul
P.S. Case No. 127 of 2018 instituted for the offence under
Section(s) 379, 411 and 414 of the Indian Penal Code.

Learned counsel for petitioner has submitted that
petitioner is not named in FIR. The name of this petitioner has
transpired in the instant case on the basis of confessional
statement of other co-accused, namely Nizam Ansari. The stolen
motorcycle of this case has been recovered from the house of
Tasendra Kumar which is recorded in paragraph no. 53 of the
case diary. Learned counsel submits that on the basis of
confessional statement of co-accused Nizam Ansari one another
motorcycle i.e. Hero Super Splendor has been recovered from



house of this petitioner. But, with regard to the aforesaid motorcycle no any case was registered nor any claimant has come forward to say that the said motorcycle is theft motorcycle. Learned counsel further points out that Tasendra Kumar has already been granted regular bail by co-ordinate Bench of this Court by order dated 23.1.2019 passed in Cr. Misc. no. 2974 of 2019.

Petitioner is in custody since 25.10.2018 having no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran (Motihari) in connection with Raxaul P.S. Case No. 127 of 2018, G.R. No. 672 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

