

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9818 of 2019

Arising Out of PS. Case No.-655 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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PANDAV KUMAR, aged about 23 years, Male, Son of Naresh Chaudhury,
Resident of Village - Ambedkarnagar, Teariya, P.S. Sajour, district Bhagalpur
... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Adv.
For the Opposite Party : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-02-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
13.10.2018 in connection with Kotwali (JOGSAR) P.S. Case
No. 655 of 2018 for the offences alleged under Sections 379 and
411 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
who is a journalist, is that while he parked his motorcycle
outside the masjid (mosque) and after finishing his work
returned after 50 minutes, he found his motorcycle missing.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, not
named in the first information report and has been falsely
implicated in the aforesaid case. He, further, submits that
charge sheet has already been submitted, there being no



allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that as per close circuit television footage the petitioner was found selling the stolen motorcycle.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kotwali (JOGSAR) P.S. Case No. 655 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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