

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25984 of 2019

Arising Out of PS. Case No.-684 Year-2016 Thana- MOTIHARI TOWN District- East
Champaran

UJJAWAL KUMAR @ UJJAWAL KUMAR PANDEY, aged about 28 years,
Male, Son of Vijay Pandey, Resident of Village-Bangra, P.S-Kotwa, District-
East Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 23-04-2019

Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
26.10.2016 in connection with Trial No. 2649 of 2018 arising out of
Motihari Town P.S. Case No. 684 of 2016 for the offences alleged under
Sections 379, 411 and 420/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
while he had gone to the market to buy vegetables and parked his
motorcycle, after five minutes he saw the petitioner taking away his
motorcycle, who, on chase, was caught and he named some of his
associates who were involved in stealing of motorcycles.

It has been submitted by the learned counsel for the petitioner
that he is innocent and has been falsely implicated in the aforesaid case.
It is, further, submitted that the petitioner is languishing in judicial
custody since more than two and half years and just because he has a
criminal antecedent he has been made accused in the present case.

However, the learned Additional Public Prosecutor for the
State opposes the prayer for bail stating therein that that the petitioner



does not bear a clean antecedent and two more cases of similar nature are pending against him.

Considering the nature of allegations and the period of custody, 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 Trial No. 2649 of 2018 arising out of Motihari Town P.S. Case No. 684 of 2016 to the satisfaction of the learned Additional Chief Judicial Magistrate, VI, East Champaran at Motihari, or the successor Court, 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) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Shamshad/-

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