

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16515 of 2020

Arising Out of PS. Case No.-45 Year-2004 Thana- PIPRA District- East Champaran

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Lalu Pandey @ Lalu @ Rajendra Pandey, Son of Late Udyanand Pandey
Resident of Village - Chakbara, P.S.- Pipra, District - East Champaran,
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma- Advocate
Ms. Rashmi Jha- Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh- A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 12-06-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner is in custody since 06.12.2018 and seeks bail in connection with Pipra P. S. Case No.45 of 2004 in a case registered for the offences punishable under Section 414 of the I.P.C.

Petitioner is named in the first information report, but admittedly, neither the petitioner was caught over the spot nor seized motorcycle was recovered from his conscious possession.

Learned Additional Public Prosecutor opposed the bail prayer of the petitioner on the ground of criminal



antecedent of six cases as well as on this ground that petitioner could be remanded after 14 years of institution of the present case. However, there is nothing on the record to show that petitioner was aware about the institution of the present case. Moreover, only on the basis of criminal antecedent, no person can be detained in jail custody.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra P. S. Case No.45 of 2004.

(Hemant Kumar Srivastava, J)

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