

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21828 of 2020

Arising Out of PS. Case No.-406 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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Raja Hussain @ Raja Babu Son of Kamarul Hoda, resident of village-
Agarwa Near Choti Masjid , P.S.- Town Motihari, Distt.- East Chamaparan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon
For the Opposite Party/s : Mr. Binod Kumar No. 3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 31-08-2020 Heard learned counsel for the petitioner and Mr.

Binod Kumar No. 3, learned counsel for the State through Video

Conferencing.

In this case, the petitioner is seeking regular bail in
connection with Motihari Town P.S. Case No. 406 of 2019
registered for offence punishable under sections 413, 414/34 of
the Indian Penal Code.

The police has arrested the petitioner with theft
motor cycle and in confessional statement, he has also narrated
that he used to lift the vehicle and sell the same in another
country Nepal which is not very far from the place of
occurrence.

The learned counsel for the petitioner submits that



one co-accused namely Vivek Kumar has already been granted regular bail by one of the Co-ordinate Bench of this Court in Cr. Misc. No. 6463 of 2020 and the record does not show that he had criminal history but the present petitioner has criminal history and his statement discloses the manner of lifting the motor cycle and selling the same in another country. The petitioner is in custody for more than one year.

Looking to the period of custody i.e. one year and two months, the petitioner is directed to be enlarged on regular bail on furnishing bail bonds of Rs.10,000/- with three sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Town P.S. Case No. 406 of 2019, subject to the condition that the mother and father of the petitioner will be bailors of the petitioner and they will be held responsible if the petitioner tried to misuse the bail. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. The petitioner will appear before the concerned police station for nine months on and before 7th of each month, failing which, his bail will be treated to have been cancelled and he will be taken into custody. The



petitioner will file his attendance that will be accepted by the
police in a sheet of paper.

(Shivaji Pandey, J)

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