

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80797 of 2019

Arising Out of PS Case No.-69 Year-2018 Thana- RAXUAL District- East Champaran

Ujjawal Pandey, aged about 25 years, Male Son of Pramod Kumar Pandey @
Pramod Pandey Resident of Village- Mangalpur Dudariya, P.S.- Nautan,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha and Mr. Dhannjay Kumar No 2, Advocates
For the State	:	Mr. Pancha Nand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 07-01-2020

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Raxual
PS Case No. 69 of 2018 dated 17.04.2018 instituted under Section
379 of the Indian Penal Code.

3. The allegation against the petitioner is of being party
to theft of a motorcycle.

4. Learned counsel for the petitioner submitted that he
was neither caught at the spot nor there is any recovery from him.
It was submitted that only on the confessional statement of co-
accused Parvesh Kumar in another case, the petitioner has also
been made accused in the present case. Learned counsel submitted



that the petitioner does have antecedent of similar cases but no incriminating material has been found so as to link the petitioner to the present case and he is in custody since 03.06.2019.

5. Learned APP submitted that the petitioner has criminal antecedent of similar nature.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Motihari, East Champaran in Raxual PS Case No. 69 of 2018.

7. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.



8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

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