

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23710 of 2021**

Arising Out of PS. Case No.-458 Year-2020 Thana- GOVINDGANJ District- East
Champaran

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BACHCHELAL KUMAR Son of Rameshwar Prasad @ Rameshwar
Mukhiya Resident of Village - Sangrampur Bin Toli, P.S.- Sangrampur,
District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms.Rashmi Jha,Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Sanjay Kumar Tiwary, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Govindganj P.S. Case No. 458 of 2020
registered for the offences punishable under Section 414/34 of
the Indian Penal Code.

As per the prosecution story, the police party during
vehicle checking saw two persons coming on a motorcycle
without helmet. When the police party directed them to stop, the
pillion rider fled away and the driver of the motorcycle (the

petitioner) was apprehended. On asking about the paper of the motorcycle and driving licence, the petitioner gave no satisfactory reply. Thereafter the motorcycle was seized.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the alleged motorcycle or the co-accused Vivek Kumar. The petitioner is in custody since 14.12.2020 having no criminal antecedent.

Having regard to the facts and circumstances of the case wherein this Court has noticed that only seizure is that of a motorcycle and the petitioner who has no criminal antecedent has remained in custody since 14.12.2020, investigation against him is complete, this Court directs release of the petitioner on bail above named on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Govindganj P.S. Case No. 458 of 2020.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal

antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.