

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47024 of 2021

Arising Out of PS. Case No.-41 Year-2015 Thana- RAXAUL District- East Champaran

RAJESH KUMAR S/O PREMNATH KUSHWAHA R/o village- Gurwaliya,
P.S.- Manuapool, District- West Champaran, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj
For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 379 of the
Indian Penal Code.

Submission is that the F.I.R. relates to theft of a
motorcycle. A co-accused confessed before the police that he
had sold the said motorcycle to the petitioner, however the
motorcycle was not recovered from possession of the petitioner
or from the house of the petitioner. Petitioner has got no
criminal antecedent.

Considering lack of direct material against the
petitioner, let the petitioner, above named, in the event of his



arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Raxaul P.S. Case No. 41 of 2015, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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