

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8100 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- SHIVSAGAR District- Rohtas

Ashutosh Kumar Pandey Son of Sitaram Pandey Resident of Village- Lutaru,
P.S.- Sheosagar (Baddi), District- Rohtas as Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Sheosagar (Baddi) P.S. Case No. 237 of 2020, registered for the offence under Section 379 of the Indian Penal Code.

As per the prosecution case, on 18.02.2020, while the informant was standing near a field, some unknown miscreant committed theft of the motorcycle of the informant. Name of petitioner transpired during course of investigation and on the basis of same, a raid was conducted and said stolen motorcycle of the informant was recovered from the house of the petitioner.

It is submitted on behalf of the petitioner that in fact, the alleged stolen motorcycle has been recovered at the door of the house of petitioner, which might have kept by someone to falsely implicate the petitioner. Petitioner claims clean



antecedent and he is in custody since 23.08.2020.

Considering the period of custody and clean antecedent of petitioner, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sasaram, Rohtas in connection with Sheosagar (Baddi) P.S. Case No. 237 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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