

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49701 of 2022**

Arising Out of PS. Case No.-432 Year-2021 Thana- SIMRI District- Buxar

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LAMBU CHOUDHARY @ LAMBU MALLAH Son of Ayodya Mallah  
Resident of Village - Dumri, P.S.- Simri, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Choubey

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      16-12-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the office within one  
  
month.

Heard the learned counsel for the petitioner as well as  
  
the learned Additional Public Prosecutor for the State through  
  
video conferencing.

The petitioner is seeking regular bail in connection  
  
with Simri P.S. Case No. 432 of 2021, registered for the  
  
offences punishable under Section 379 of the Indian Penal  
  
Code.

As per FIR, some unknown criminals committed theft  
  
of motorcycle of the informant.

The learned counsel for the petitioner has submitted



that the petitioner is innocent and he is languishing in jail since 06.05.2022. The petitioner and co-accused Mukesh Kumar were apprehended in another case of Excise Act and they were remanded therefrom in the present case.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. Case No. 432 of 2021, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.
- (iii) The petitioner shall appear before the court below on each and every date unless prevented by any unavoidable circumstances.



Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

Nirmal/Mahesh

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