

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 4906 of 2019

Laxaman Bhandari @ Laxman Bhandari... Petitioner
Versus

The State of Jharkhand Opposite Party

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CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY
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For the Petitioner : Mr. Shashi Kant Thakur, Advocate
For the Opposite Party : Mr. Sanjay Kumar Srivastava, A.P.P.

2/28.05.2019

1. Heard Mr. Shashi Kant Thakur, counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Srivastava, counsel appearing on behalf of the State.
2. Counsel for the petitioner submits that the petitioner is in custody in connection with Littipara P.S. Case No. 94 of 2018 (Misc. Cr. Application No. 1004/19) for the offence registered under Sections 379/411 of the Indian Penal Code, now pending in the court of learned S.D. J. M. Pakur.
3. Counsel for the petitioner submits that the petitioner has been made accused in this case on account of confessional statement of the co-accused. The petitioner was neither apprehended on the spot nor the stolen motorcycle has been recovered from the possession of the petitioner. He submits that the petitioner has not even been put to test identification parade and charge sheet has already been submitted against the accused person including the petitioner. He submits that this fact is apparent from the impugned order itself.
4. Counsel appearing for the State on the other hand opposes the prayer for bail and submits that the petitioner is habitual offender as there are criminal antecedents against the petitioner. However,

he does not dispute the fact that the name of the petitioner has come in the confessional statement of the co-accused and the petitioner has neither been put on Test Identification Parade nor the stolen motorcycle has been recovered from the possession of the petitioner and also the fact that charge sheet has already been submitted against the accused persons including the petitioner.

5. Considering the aforesaid submissions, this court is inclined to enlarge the petitioner on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Pakur, in connection with Littipara P.S. Case No. 94 of 2018 (Misc. Cr. Application No. 1004/19), on the following conditions:
 - (i) Both the bailers should be the close relatives of the petitioner.
 - (ii) The petitioner shall appear before the learned court below on each and every date and on account of even single default, his bail bond will be cancelled by the learned court below.
6. The instant bail application is allowed with the aforesaid conditions.

(Anubha Rawat Choudhary, J.)

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