

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3768 of 2015**

Arising Out of PS.Case No. -282 Year- 2014 Thana -KUDHNI District- MUZAFFARPUR

Vijay Choudhary, son of Darshan Choudhary, r/o Chhajan Uttarbari Tola,  
P.S. Kurhani (Turki), Distt. Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Rakesh, Adv.

For the Opposite Party/s : Mr. Anil Kr. Singh, (APP)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

2 29-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks anticipatory bail in a case  
instituted for the offence under Sections 302/34 of the Indian  
Penal Code.

Considering the nature of allegation against the  
Petitioner as also the fact that the Petitioner is suffering from  
Cancer, let the Petitioner in the event of surrender, named above,  
within four weeks from the date of receipt of this order, in  
connection with Kurhani P.S. Case No. 282 of 2014, be released  
on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five  
thousand) with two sureties of the like amount each or any other  
surety to be fixed by the Court concerned to the satisfaction of  
Chief Judicial Magistrate, Muzaffarpur, subject to the following  
conditions: (i) That one of the bailors will be a close relative of

the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

S.Ali/-

**(Anjana Prakash, J)**

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