

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51515 of 2015**

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1. Bambam Choudhary Son of Late Balmiki Choudhary resident of village  
- Dadpur, P.S. Bhagwanpur, District - Begusarai

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

3      09-02-2016                      A supplementary affidavit has been filed mentioning  
  
therein that petitioner is also accused in Bhagwanpur P.S. case No.  
  
174 of 2011 which was not mentioned earlier in the petition due to  
  
bonafide mistake.

Keep it on record.

Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor representing the State.

The petitioner seeks bail in connection with  
  
Bhagwanpur P.S. case No. 9/ 2015 registered for the offences  
  
punishable under sections 302, 201/34 of the Indian Penal Code.

Allegedly, Raushan Choudhary, brother of the  
  
informant, was missing from 14.01.2015 and on 18.01.2015 a  
  
dead body was recovered from a well which was identified as that

of Raushan Choudhary having multiple injuries on his body. It is claimed that due to enmity the petitioner and other accused have killed the deceased and threw the dead body in the well.

Submission is of false implication and that besides this there is nothing against the petitioner, during the investigation on the basis of call detail it has come that accused Murari Choudhary has talked with the deceased and that Murari Choudhary has already been allowed bail vide Cr. Misc. No. 25068 of 2015 by order dated 21.07.2015 by another co-ordinate Bench of this court, the petitioner is suffering in custody since 23.04.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. submits that petitioner is named in the first information report and he has been charge sheeted also.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S. case No.09/2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

BKS/-

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