

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8944 of 2017

Arising Out of PS.Case No. -696 Year- 2015 Thana -BANKA District- BANKA

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Shailendra Choudhary @ Shailendra, son of Subhash Choudhary,
Resident of village Kakna, P.S. Banka, District Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mrs. Neelam Kumari, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.09.2016 in connection with Banka P.S. Case No. 696 of 2015 for the alleged offences under Sections 302, 201, 506/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion as he was fleeing away from the place of occurrence along with his brother Birendra @ Biro and father Subhash Choudhary, the latter having been granted bail by this Court in Cr. Misc. No.9719 of 2016. There is no material to connect the petitioner with the offence alleged. It is stated that the informant has subsequently filed Complaint Case No. 1948 of 2015 in the Court of learned Chief Judicial Magistrate, Banka for the same offence.

4. Having regard to the entirety of the facts and



circumstances of the case as well as the period of custody since 19.09.2016 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 696 of 2015 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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