

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25148 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

=====

1. Deonath Choudhary S/o Late Sitaram Choudhary, resident of Village-
Jadhua, Barai Tola, P.S.- Industrial Area, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nil Kamal

For the Opposite Party/s : Mr. Sri Dashrath Mehta

For the Informant : Mr. Moahendra Thakur

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Industrial P.S.Cae No.01 of 2017 registered for offences punishable under Sections 363, 364 and 34 of the Indian Penal Code.

The petitioner is named in the F.I.R and the allegation as per F.I.R. is that there was land dispute between the deceased and the petitioner and for that the petitioner along with the other accused persons kidnapped the deceased and killed her.

It is submitted on behalf of the petitioner that except suspicion due to the land dispute between the parties, there is absolutely nothing against the petitioner and he is in custody since



07.02.2017. The petitioner is ready to abide by any condition imposed upon him.

Heard learned A.P.P. and the learned counsel for the informant. The learned counsel for the informant has opposed the prayer for bail stating that it is a cold-blooded murder. Earlier a Panchayati was also held with respect to land dispute in which the petitioner had threatened the deceased and 4.1.2017 was final date in a case between the parties but he was kidnapped and killed by the petitioner and other accused persons, however, learned counsel for the informant has fairly admitted that except above there is no other circumstances are there against the petitioner .

Having heard both sides and in view of the facts of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Smita Raj, J.M. Ist Class, Hajipur District- Vaishali in connection with Industrial P.S.Case No.01 of 2017, Vaishali at Hajipur.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to



appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

