

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58965 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -JADOPUR District- GOPALGANJ

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Babban Chaudhary Son of Late Sita Ram Chaudhary Resident of Village -
Manjhariya, P.S. Yadopur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 04.09.2017 in
connection with Yadopur P.S. Case No. 21 of 2017 for the offence
registered under Sections 363, 364 and 302 of the Indian Penal
Code.

The allegation against the petitioner is that he had
invited Nabalak Yadav and one Pramod Yadav for some talks but
thereafter, they were not found and subsequently, after two days
the dead body of Nabalak Yadav was found in Gorakhpur.

Learned counsel for the petitioner submits that the
complainant is not an eye witness in the present case and the
complaint petition has been instituted under Section 156(3)



Cr.P.C. after two days of the alleged disappearance of the brother of the complainant. It is further submitted that in view of the fact that there is no eye witness to the occurrence and only on mere conjectures and surmises that the victim was having love affairs with the daughter of the present petitioner, the eye of suspicion is on the present petitioner.

Considering the aforesaid facts and circumstances of the case and several other persons, who have been made accused in this case have been extended the privilege of anticipatory bail or regular bail by this Court in Cr. Misc. No. 33947 of 2017 vide order dated 23.08.2017 and also in Cr. Misc. No. 53977 of 2017 vide order dated 14, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gopalganj in connection with Jodopur P.S. Case NO. 21 of 2017, subject to the following conditions:-

1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the



trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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