

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25285 of 2018

Arising Out of PS.Case No. -318 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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1. Nago Chaudhary, S/o Rameshwar Chaudhary.
2. Lalan Chaudhary, S/o Kapil Chaudhary.
3. Shatrudhan Chaudhary, S/o Birendra Chaudhary
All resident of Village- Goga, P.S. Mofassil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vijay Chaudhary, S/o Late Vithal Chaudhary, Resident of Village Goga,
P.S.- Mofassil, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-05-2018 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioner No.1 is in custody since 27.11.2017
and Petitioner Nos.2 and 3 are in custody since 28.11.2017 in
connection with Mufassil P.S. Case No.318 of 2017 registered
for the offence under Sections 302, 201 read with 34 of the
Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that
though these petitioners have been named in the F.I.R., they have
been named only on the basis of suspicion and because one
Munni Chaudhary had taken away the deceased for idol



immersion. It is further submitted that save and except the aforementioned story of last seen with Munni Chaudhary, there is no material to implicate the petitioners.

Having heard learned counsel for the petitioners and the learned counsel for the State and considering the fact that the petitioners have no criminal antecedents and similarly co-accused person Naresh Chaudhary has since been released on regular bail in Cr.Misc. No.14542 of 2018, vide order dated 12.04.2018, let the petitioners, above named, be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-IV, Gaya, in connection with Mufassil P.S. Case No.318 of 2017 (Sessions Trial No.111/2018 (43/2018), subject to the following conditions:

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of their failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court



concerned.

(4) The petitioners shall co-operate with the investigation, if not already concluded, and make themselves 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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