

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38735 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -PHULWARIA District- BEGUSARAI

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1. Soni Choudhary @ Sony Choudhary S/o Late Balram Choudhary, R/o Vill.- Malki, P.S.- Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Phulwaria P.S.Case O.12 of 2018 registered for offences punishable under Sections 120(B), 302, 201/34 of the Indian Penal Code.

Allegation against the petitioner is of committing rape upon the deceased. The petitioner is not named in the FIR and later on his name transpired during the course of investigation of the case.

Submission of the learned counsel for the petitioner is only on the basis of suspicion, he has been made accused in this case and he is in custody since 14.5.2018 and there is no substance to show the hands of the petitioner.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, 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 CJM, Begusarai in connection with Phulwaria P.S.case nO.12 of 2018.

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 in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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