

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34430 of 2018

Arising Out of PS. Case No.-326 Year-2017 Thana- CHAKIA District- East Champaran

Krishna Kant Choudhur @ Krishna Kant Singh, son of Late Anandeo Chaudhur, resident of Village- Ghangati, P.S.- Chakia, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nilesh Kumar, Adv.

For the Opposite Party : Mr. Panchanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 16-08-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Chakia P.S. Case No. 326 of 2017 registered for the offences punishable under Sections 302 and 303/34 of the Indian Penal Code.

Informant is the wife of the deceased who has stated in her fardbeyan that when her husband was going to his field for irrigation, in the meantime, she and her daughter saw that co-accused persons surrounded her husband and he was praying for his life to the co-accused persons, but on the order of one co-accused Laliteshwar Prasad Singh, Rajeev Ranjan Singh took out pistol and fired upon on the face of her husband



and other co-accused persons, namely, Kushnandan Prasad Singh and Sonu Kumar fired on her husband on his chest and waist respectively.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion and he is not named in the FIR. He is in custody since 16.12.2017. It is further submitted that similarly situated co-accused, namely, Pawan Kumar Singh has already been granted bail by another co-ordinate Bench of this Court in Cr. Misc. No. 27997 of 2018 vide order dated 10.05.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Motihari in connection with Chakia P.S. Case No. 326 of 2017 with following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) The petitioner shall co-operate in the trial and



shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/manoj

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