

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20363 of 2018

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

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1. Nageshar Chaudhary, Son of Late Krishan Chaudhary,
2. Umesh Chaudhary, Son of Late Krishan Chaudhary,
3. Pintu Chaudhary, Son of Rameshwar Chaudhary,
4. Nago Chaudhary, Son of Rameshwar Chaudhary, All resident of Village-
Goga, P.S.- Mofassil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vijay Chaudhary, Son of 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. Dayanand Singh, Adv
For the Opposite Party/s : Mr. Tarun Prasad, Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018 The petitioners are apprehending their arrest in connection with Mofassil P.S. Case No. 318 of 2017, registered for offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Allegation against the petitioners that they took the deceased with themselves for dance in Durga Puja procession and thereafter on the next day, dead body of the deceased was found.

It has been submitted on behalf of the petitioners that save and except allegation that the petitioners were last seen with the deceased, there is absolutely nothing against the petitioners. It has further been submitted that there was no enmity or anything



between the petitioners and the deceased rather there was dispute between the deceased and other co-accused of this case.

Learned counsel for the State could not controvert the above submission.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM - Gaya, in connection with Mofassil P.S. Case No. 318 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear



before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

It is also made clear that if any incriminating material comes against these petitioners during the course of investigation, the prosecution shall move for cancellation of bail bonds of the petitioners.

(Vinod Kumar Sinha, J)

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