

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3398 of 2019**

Arising Out of PS. Case No.-658 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Anand Choudhary @ Anand Prakash 26 years Male, s/o late Shambhu Nath Choudhary resident of village Shakti Nagar Police Station K Hat (Maranga) District Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Madhuri Kumari

For the Opposite Party/s : Mr.Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      21-02-2019

Heard learned counsel for the parties.

Petitioner seeks bail in **K. Hat P.S. Case No. 658 of 2018** registered for the offence punishable under Sections 302/224/34 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the FIR named juvenile accused is of killing the house Father and another juvenile in observation home and thereafter fleeing away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Shubham Kumar Kushwaha. Petitioner was in not present at the place of occurrence rather he was in



Patna for the treatment of his father. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 29.01.2019 in Criminal Miscellaneous No. 4738 of 2019, 05.02.2019 in Criminal Miscellaneous No. 5219 of 2019 and 07.02.2019 in Criminal Miscellaneous No. 7186 of 2019. Petitioner is in custody since 27.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Purnia**, in connection with **K. Hat P.S. Case No. 658 of 2018**, with following conditions:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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)**

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