

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13761 of 2019**

Arising Out of PS. Case No.-15 Year-2018 Thana- GADHPURA District- Begusarai

SURENDRA CHAUDHARI @ SURENDRA CHOUDHARY @ SULO CHOUDHARY @ SULO, aged about 35 years, Son of Jagdev Choudhary Resident of Village - Dharmpur, Malipur, P.S.- Gadhpura, District - Begusarai.

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, adv.
For the Opposite Party/s : Mr.Sanjay Kumar Sharma (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-03-2019 Learned counsel for the petitioner is permitted to delete the para no. 19 of the bail petition during course of the day.

Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 307, 504, 506, 427, 34 of the Indian Penal Code, Sections 27 of the Arms Act and Section 3/4 of Explosive Substance Act.

Informant has alleged that on 27.02.2018 at 6:30 A.M., six unknown accused persons came on motorcycle near his poultry farm and started indiscriminate firing. The accused persons also exploded bomb and they abused him and also threatened to kill him and fled away.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the FIR. The occurrence is of 27.02.2018 but the FIR has been lodged on 05.03.2018 after delay of 6 days. Petitioner is in custody since 10.05.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Garhpura P.S. Case No. 15 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, his 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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