

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79121 of 2018

Arising Out of PS. Case No.-260 Year-2017 Thana- PIPRA District- East Champaran

Chandan Choudhary @ Chandan Chaudhary Son of Arun Chaudhary,
Resident of Bishanpur Horli,- baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 19-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Pipra P.S. Case No. 260 of 2017** registered for the offence punishable under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in her written complaint has alleged that on 14.10.2017 at about 6:40 pm she received phone from Reliance Company that the discharged guards have killed her husband by fire arms. She went at the place of occurrence with Pramod Prasad, S.H.O. Chakia, P.S. at Narhar Pakadi bridge and saw the dead body of her husband lying in the bridge.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to enmity. 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 Rajesh Choudhary. No incriminating material has been recovered from the possession of the petitioner. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 16.03.2018 in Criminal Miscellaneous No. 14993 of 2018, 21.05.2018 in Criminal Miscellaneous No. 18262 of 2018 and 01.10.2018 in Criminal Miscellaneous No. 54977 of 2018. Petitioner is in custody since 27.09.2018.

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-Motihari**, in connection with **Pipra P.S. Case No. 260 of 2017**, 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.

(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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