

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60144 of 2018

Arising Out of PS. Case No.-99 Year-2017 Thana- UDAKISHUNGANJ District- Madhepura

Mithilesh Choudhary S/o Aitvari Choudhary, R/o Vill.- Bakhari, Ward No. 13,
P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh
For the Opposite Party/s : Mr.Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 27-02-2019 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks regular bail in connection with Udakishunganj PS case no. 99 of 2017 registered for the offence punishable under Sections 348, 354, 379, 504/34 of Indian Penal Code.

The present petition is a second attempt on behalf of the petitioner, inasmuch as his prayer for bail was rejected vide order dated 09.11.2017 passed by this Court in Cr. Misc. no. 53141 of 2017, however the petitioner was granted liberty to renew his prayer after completion of one year of custody i.e. w.e.f. 01.08.2017.

The learned counsel for the petitioner submits that the petitioner has already undergone more than one year of



custody, hence the case of the petitioner be considered sympathetically.

This Court has called for a report from the learned trial court regarding the stage of the case and it has been informed that the other two accused persons namely Aitvari Chaudhary and Shanti Devi, who were on bail from a period prior to the passing of the order taking cognizance, have not appeared after the cognizance was taken, hence their case has been separated from that of the present petitioner and as far as the petitioner's case is concerned, charges have been framed and the case is fixed for prosecution evidence on 11.10.2018.

Having regard to the facts and circumstances of the present case as also the report of the learned Additional Chief Judicial Magistrate, Udakishunganj, Madhepura dated 09.10.2018, I deem it fit and proper to direct for release of the petitioner on regular bail subject to such conditions as may be deemed fit and proper to be imposed by the learned court of S.D.J.M. Udakishunganj, Madhepura in connection with Udakishunganj PS case no. 99 of 2017, however subject to a further condition that the petitioner shall ensure appearance of the other two accused persons namely Aitvari Chaudhary and Shanti Devi before the learned trial court.



With the aforesaid direction, the present petition
stands disposed of.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

