

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48405 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- MAJHAULIA District- West Champaran

Arbind Chaubey Son of Himachal Chaubey Resident of Village - Lal Saraiya,
P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Majhauria P.S. Case No. 105 of 2019**, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 436, 379 and 34 of the Indian Penal Code. Later on section 302 of the Indian Penal Code was added.

It is alleged that petitioner along with others having armed with different weapons came at the house of informant, Triloki Chaubey gave Bhala blow on the head of Dhananjay Chaubey and Ajit Chaubey gave Dabia blow on the head of informant's brother Chuman Chaubey. They also assaulted female member of the house of informant and took away different articles from his house. Informant's brother Chuman



Chaubey succumbed to the injury.

It is submitted on behalf of the petitioner that there is no specific overt act against this petitioner. Other co-accused have been granted bail by different coordinate Benches of this court vide order dated 14.08.2019 passed in Cr. Misc. No. 50416 of 2019 and order dated 02.08.2019 passed in Cr. Misc. No. 47982 of 2019. Chargesheet has already been submitted. Petitioner is in custody since 22.03.2019 having no criminal antecedent.

Considering the facts aforesaid and the fact that other co-accused have been granted bail by different coordinate benches of this court and the case of petitioner stands on better footing, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Bettiah, West Champaran** in connection with **Majhaulia P.S. Case No. 105 of 2019** subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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