

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3944 of 2020

Arising Out of PS. Case No.-435 Year-2019 Thana- TEKARI District- Gaya

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Mahesh Chaudhary Son of Monarik Chaudhary Residence of Village -
Mahmadpur, P.S.- Tekari, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Tekari (Panchanpur O.P.) P.S. Case No. 435 of 2019, G.R. No. 6200/19**, registered for the offence punishable under Sections 307, 506 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 02.12.2019 at about 10.00 pm while the informant was going to lock the main gate of his house, he heard whispering. Informant saw that three persons including this petitioner concealing themselves in abandoned house of his brother. When the informant asked about their identity, co-accused Ramesh Chaudhary fired upon him, which did not hit him. When the informant chased them, all the accused persons fled away. There is land dispute between the informant and the accused persons.

It is submitted by learned counsel appearing on behalf



of petitioner that petitioner is innocent and has falsely been implicated in this case. From the FIR, it appears that specific allegation of firing is against co-accused Ramesh Chaudhary. Petitioner is in custody since 03.12.2019 having clean antecedent.

Considering the facts aforesaid, 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 **Additional Chief Judicial Magistrate VI, Gaya** in connection with **Tekari (Panchanpur O.P.) P.S. Case No. 435 of 2019, G.R. No. 6200/19**, subject to the 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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