

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27122 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- CHANPATIA District- West Champaran

BIRENDRA CHAUDHARY S/o Sri Badri Chaudhary Resident of Village-
Naya Tola (Basti) Harpurwa, P.S.-Jogapatti, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

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

The petitioner seeks bail in a case instituted for the
offences under Sections 302, 201, 34 of the Indian Penal Code.

The prosecution case in short is that the accused
persons came to the house of the informant and took his son
with them. Later his son was not returned and his dead body
was found in the water.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.03.2020 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. Learned counsel for the petitioner submits that at best it is a case of last seen. Except for this, there is no other substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to show the participation of the petitioner in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 81 of 2020.

(Sudhir Singh, J)

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