

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30093 of 2020

Arising Out of PS. Case No.-213 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

SONU CHAUDHARY S/o Vinod Chaudhary R/o Village- Kabar, P.S.-
Bhabua, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Mr. Chandra Mohan Jha, Advocates
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-11-2020 Heard Mr. Ravi Shankar Sahay, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Bhabua PS Case No. 213/2020 registered for the offence
punishable under Sections 302/34 of the IPC.

3. As per prosecution case, the instant FIR has been
lodged by a Chaukidar, in which, it has allegedly, been stated
that the daughter of the co-accused, Binod Chaudhary was in
the habit of going out of her house without any information to
the family members and in the night before the date of
occurrence, she had left the house and came back in the morning
and when Binod Chaudhary inquired regarding her whereabouts,



she did not give cogent reply of her absence. It is further alleged that the petitioner, who is brother of the deceased girl, caught hold of her and the co-accused, Binod Chaudhary, who is father of the deceased slit the throat of her daughter, i.e., deceased.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. Learned counsel for the petitioner further submits that from perusal of the FIR, it would be evident that there is an admission of killing against the father of the deceased, i.e., co-accused, Binod Chaudhary. Learned counsel also submits that at best an offence under Section 304 Part-II is attracted in the facts of the present case.

5. Learned counsel submits that charge-sheet has been submitted and there is no possibility that the petitioner will abscond or tamper with evidences.

6. Having regard to the submissions made by the parties and taking into consideration the material on record, I am inclined to grant regular bail to the petitioner **after framing of charge, if the same has not already been framed.**

7. Accordingly, let the petitioner, SONU CHAUDHARY be released, **after framing of charge, if the same has not already been framed**, on bail on furnishing bail



bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua, Kaimur in connection with Bhabua PS Case No. 213/2020.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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