

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33596 of 2020

Arising Out of PS. Case No.-117 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

BIKERMA CHAUDHARY @ BEKERMA CHAUDHARY @ VIKRAMA
CHAUDHARY S/o Wakil Chaudhary R/o Village-Jafra, P.S.-Siwan Mufassil,
District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2020 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 Section 302 of the Indian Penal Code.

The prosecution case in short is that the nephew of the
informant went missing and later his dead body was found.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 11.6.2020. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. In course of investigation, the informant has been made accused in the present case. From the confession of the informant before the police, the weapon used in the occurrence is said to have been recovered. As far as the petitioner is concerned, except for confessional statement of the co-accused, there is no other substantive evidence to implicate the petitioner in the present case. Neither there is any eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not 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 Judicial Magistrate 1st Class, Siwan in connection with Siwan Muffasil P.S. Case No. 117/2020.

(Sudhir Singh, J)

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