

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78988 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- BAGHA District- West Champaran

Bablu Kumar, male, aged about 22 years, Son of - Hridesh Choudhary @
Hirdesh Chaudhary, Resident of Village- Bagahi Nimiya Tola, P.S. - Bairiya,
District - West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 17-03-2020 Heard Mr. Lokesh Kumar Singh for the petitioner
and Mr. Ram Priya Sharan Singh for the State.

The petitioner seeks bail in connection with Bagaha
P.S. Case No. 57 of 2019, dated 01.02.2019, instituted for
the offences under Sections 364 and 302/34 of the Indian
Penal Code.

The petitioner is said to be in custody since
31.07.2019.



After about six months of the occurrence, the petitioner was made accused in this case on the basis of call detail report of his mobile telephone, which disclosed that he had a talk on the relevant day with the deceased as also with the assailant of the deceased.

Learned counsel for the petitioner submits that even if this were true, it cannot be taken as a material, incriminating enough, for keeping the petitioner in continued incarceration.

Considering the aforestated vague accusation against the petitioner, his period of custody and also taking into account that charge-sheet in this case has already been submitted, the petitioner above-named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-Ist, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 57 of 2019.

However, if the petitioner would deliberately avoid participating in the trial if the trial commences, then the bail



granted to him shall be liable to be cancelled for which necessary steps shall be taken by the Trial court after observing due process of law on such report of default by the petitioner.

With the aforesaid observation/direction, the application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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