

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85417 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- UCHKAGAON District- Gopalganj

SURESH CHAUDHARY @ SURESH PRASAD YADAV S/o Basudeo
Chaudhary R/o village- Bhagwan Tola, P.S.- Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-02-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 307, 452, 326, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexue 1 with a direction to the trial court to expedite the trial and conclude the same within one year and if trial is not concluded within one year, petitioner may renew his prayer for bail.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. During



investigation accusation as made in FIR has not been found to be correct by I.O. Petitioner has no criminal antecedent except as disclosed in paragraph no.3 as Uchakagaon P.S. Case No.20/1982 under Sections 323, 324, 341, 307/34 of IPC. in which he has been acquitted. Political rivalry is admitted.

It has further been submitted that even charges have not been framed against the petitioner as yet and petitioner is in custody since 01.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with S.T. No.10/19 arising out of Uchakagaon P.S. Case No. 151/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(3) 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.

(S. Kumar, J)

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