

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13859 of 2021

Arising Out of PS. Case No.-141 Year-2018 Thana- BHAGWANPUR District- Begusarai

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LUTAN CHAUDHARY @ AMAR NATH CHAUDHARY S/O- Late Ganpat Chaudhary Resident of Village - Daudpur, P.S. - Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam

For the Opposite Party/s : Mr.Ganesh Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioner seeks bail in Bhagwanpur P.S. Case No. 141 of 2018 corresponding to Sessions Trial No. 467 of 2019, registered for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, wife of the informant got information that her husband has been shot dead near mobile shop. It is further alleged that this petitioner along with other accused persons after hatching up conspiracy committed murder



of her husband.

It is submitted on behalf of the petitioner that due to civil dispute between the parties, petitioner has been made accused in this case. There is no eye-witness of the occurrence. Similarly situated co-accused Amresh Chaudhary has been granted bail by this Court vide order dated 11.02.2019 passed in Cr. Misc. No. 7813 of 2019. Petitioner is in custody since 26.07.2018. In para 3 of the petition, petitioner has got criminal antecedent and he is accused in ten cases, but in all the cases either he is acquitted or he has been granted bail.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IIIrd, Begusarai in connection with Bhagwanpur P.S. Case No. 141 of 2018 corresponding to Sessions Trial No. 467 of 2019 subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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