

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14862 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- RIVILGANJ District- Saran

Shankar Choudhary, aged about 25 years, Gender- Male son of late
Ramadhar Choudhari, Resident of village Naviganj Bintoli, P.S. Bhagwan
Bazar, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Ms. Rajani Kumari Advocate

For the State : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 27-08-2021 In view of the sudden resurgence of Covid-19 infection,

there is limited functioning of the High Court and, therefore, the

matter has been listed today for consideration through virtual

mode.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Revilganj P.S. Case No. 214
of 2020, instituted for the offence under Section 302/34 of the
Indian Penal Code.



The informant's brother has accompanied the petitioner one day prior to lodging of the F.I.R. after having his meal in the day, for fishing. Next day, in the evening, the informant has learnt that his brother's dead body has been found in the reverine area. Suspicion has been cast on the petitioner, as being the person, who has committed the murder.

It is submitted by the learned counsel for the petitioner that implication is based on suspicion. The deceased and petitioner were on friendly terms, is evident from the fact that both have gone together for fishing. There is no eye-witness to the occurrence and, under such circumstance, the petitioner, having no criminal antecedent, is in custody since 24.06.2020.

The learned APP representing the State has opposed the prayer for bail. It is submitted that the victim was last seen with the petitioner

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released 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



Judicial Magistrate 1st Class, Saran at Chapra, in connection with **Revilganj P.S. Case No. 214 of 2020**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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