

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.14803 of 2021**

Arising Out of PS. Case No.-435 Year-2020 Thana- BETTIAH CITY District- West  
Champaran

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CHANDRAMA BHAGAT SON OF CHANDI BHAGAT R/o village-  
Kalibagh, Ward No. 4, Rajendra Nagar, P.S.- Kalibagh (O.P.) Bettiah Town,  
District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No 7, Adv

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

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD  
ORAL ORDER**

4      09-09-2021                      In view of sudden resurgence of COVID – 19  
  
infection there is limited functioning of the High Court and  
  
therefore the matter has been listed for consideration through  
  
virtual mode.

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

This Court would expect that the petitioner's  
  
Counsel would honour his undertaking in the instant  
  
proceedings regarding supply of requisite court fee etc. within  
  
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Bettiah Town  
  
(Kalibagh O.P.) P.S. Case No. 435 of 2020 registered under  
  
Sections 302 and 34 of the Indian Penal Code.



2-3 days prior to occurrence, altercation has taken place between the petitioner and the informant's brother. On the fateful day informant's brother went to the market whereafter informant received intimation regarding his killing.

The submission on behalf of the petitioner is that he has received intimation, but the source of intimation has not been disclosed to the police nor such person has been examined in the investigation. On basis of a trivial altercation which took place 2-3 days back the petitioner and his family members have been implicated. Petitioner's wife was also implicated in the killing and she has been allowed bail in Cr. Misc. No. 40569 of 2020. Having no criminal antecedent, it is submitted that the petitioner is in custody since 15.9.2020.

Learned APP has opposed the prayer for bail.

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's counsel. Prayer for bail of the petitioner is allowed. Let 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in Bettiah Town (Kalibagh



O.P.) P.S. Case No. 435 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)**

SUMIT/-

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