

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16035 of 2021**

Arising Out of PS. Case No.-90 Year-2020 Thana- HATHAURI District- Samastipur

Kulanand Chaudhary S/O Late Devanarayan Choudhary @ Devan Chaudhary  
R/O Village-Ballipur, P.S-Hathauri, District-Samastipur.... ... Petitioner/s  
Versus

THE STATE OF BIHAR ... ... Opposite Party/s

**Appearance :**

|                      |   |                      |
|----------------------|---|----------------------|
| For the Petitioner/s | : | Mr.Udbhav, Adv       |
| For the State        | : | Mr.A.P.P.            |
| For the Informant    | : | Mr.Ram Bali Jha, Adv |

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      19-07-2021                      Let the defect (s) be removed within four weeks after  
start of the physical Court.

Heard the parties in virtual Court.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 307,323,337,34,341,504,506  
IPC, later on Section 302 IPC was also added.

On the order of the petitioner, son of the petitioner  
allegedly assaulted to the deceased with a weapon of cutting.  
Petitioner has got no criminal antecedent. Investigation of the  
case is already complete. Petitioner is in custody since  
02.09.2020.

Mr. Ram Bali Jha, learned counsel for the informant  
strenuously opposed the prayer for bail and contends that infact  
the petitioner is instigator, as such abettor of the offence and he  
is punishable with the same punishment which is awardable



against the real perpetrator of the crime.

Considering the nature of allegation against the petitioner and completion of investigation, there is no need for further detention of the petitioner as undertrial prisoner, hence let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Hathauri Police Station Case No.90 of 2020 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

**(Birendra Kumar, J)**

Nitesh/-

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