

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18015 of 2021**

Arising Out of PS. Case No.-312 Year-2020 Thana- ATRI District- Gaya

ANIL CHOUDHARY SON OF RAJENDRA CHAUDHARY R/O
VILLAGE- SAHORA, P.S. - ATARI, DISTRICT- GAYA

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in connection with Atari P.S. Case No. 312 of 2020 registered for the offences punishable under Sections 341, 323, 353, 333, 354, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution story the petitioner had indulged in scuffle with the C.D.P.O., hurled abuses on her, hold her hand, pulled her dupatta and started assaulting her with fists and slaps as also took away her gold chain worth Rs. 95,000/-.



Learned counsel for the petitioner submits that the allegations are false and concocted, according to him the petitioner is a social worker and because he was objecting to the illegalities committed by this C.D.P.O. in distribution of food-grains to the beneficiaries of Anganwadi Kendra, the present case has been lodged. It is further submitted that the petitioner is in custody in connection with this case since 06.09.2020 and in the cases stated in paragraph '3', he is on bail.

Learned A.P.P. for the State has thought opposed the prayer for regular bail of the petitioner but accepts the facts and circumstances of the case wherein the petitioner has remained in custody for over ten months, investigation against him is complete but the trial is not likely to take place in near future and in the cases stated in paragraph '3', he is said to be on bail, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XIII, Gaya in connection with Atari P.S. Case No. 312 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

