

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19851 of 2021

Arising Out of PS. Case No.-34 Year-2019 Thana- MADHWAPUR District- Madhubani

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AMIT KUMAR CHOUDHARY S/O MADHUKANT CHOUDHARY
RESIDENT OF VILLAGE BIHARI, ENARWA TOL, P.S. MADHWAPUR,
DISTRICT MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sanjay Kumar
For the Opposite Party/s :	Mr. Sanjay Kumar Jha
	Mr. Anant Kumar Bhaskar
	Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-09-2021 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 304 of the Indian Penal
Code.

Prayer for bail of this petitioner was earlier rejected
by this court vide order dated 29.01.2020 passed in Cr. Misc.
No. 67566 of 2019. By order dated 28.07.2021 a report was
called for from the trial court about the stage of trial which
reveals that charge has been framed on 11.12.2019 but even
after lapse of near about two years not a single witness has been
examined.



Considering the period of custody of the petitioner and the fact that there is no substantive progress in the trial, 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 Additional Sessions Judge-X, Madhubani in connection with Madhwapur PS case No. 34/2019 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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