

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31259 of 2021**

Arising Out of PS. Case No.-160 Year-2020 Thana- NOORSARAI District- Nalanda

VIJAY CHOUHAN S/O LATE BRIJ NANDAN CHOUHAN R/o village-  
Charui Beldari, P.S.- Noor Sarai, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      26-11-2021                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Noor Sarai P.S. Case No. 160 of 2020 registered for the offence under Sections 304(B) and 34 of the Indian Penal Code.

The petitioner along with others are alleged to have killed the sister of the informant by strangulating her neck.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, the petitioner happens to be father-in-law of the deceased and he used to live separately from his son and the deceased. No specific allegation of assault or demand of dowry in any manner is attributed to him rather a suspicious or vague allegation is leveled in the F.I.R. Moreover, the co-accused, namely, Fulwa Devi, who happens to be wife of this petitioner, having more or less similar allegation, has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.02.2021 passed in Cr. Misc. No. 40468 of 2020. The petitioner is rotting in judicial custody since 14.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M., Nalanda at Bihar Sharif in connection with Noor Sarai P.S. Case No. 160 of 2020/ G.R. No. 2589 of 2020 with 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 canceled 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.

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.

**(Rajesh Kumar Verma, J)**

braj/-

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