

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30386 of 2021

Arising Out of PS. Case No.-490 Year-2020 Thana- CHAPRA TOWN District- Saran

Sanjay Chaudhary S/O Vijay Chaudhary R/O Village- Bichla Telpa, P.S.-
Chapra Town, District- Saran At Chapra ... Petitioner/S
Versus

The State Of Bihar ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 363, 364/120B of the Indian Penal Code.

As per the prosecution case, on 3.9.2020 at 7/8 pm co-accused vinod Rai and Sonu Rai took the informant's son with them for dinner party who did not return. Thereafter, on 5.9.2020 co-accused Rahul Rai informed the informant that his son has been killed.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused Rahul Rai. There is no substantive evidence to suggest the implication of this petitioner in the present case. No incriminating material has been collected against the petitioner during course of the investigation. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order



dated 12.3.2020, passed in Cr.Misc.No. 39482/2020.
Investigation is complete. Petitioner is in custody since
7.9.2020.

Considering the facts and circumstances of the case, let
the petitioner, mentioned above, be enlarged on bail on
furnishing bail bond of Rs.10,000/-(ten thousand) with two
sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Saran at Chapra in Chapra Town Police
Station Case No. 490 of 2020 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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