

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34575 of 2021

Arising Out of PS. Case No.-366 Year-2015 Thana- BIHTA District- Patna

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AMIR CHANDRA CHOUDHARY Son of Ramrup Choudhary Resident of
Village - Janpara, P.O.- Barah, P.S.- Bikram, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bikram Deo Singh
Mr.Shankar Kumar
For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-08-2021 The matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

This application for regular bail arises out of Bihta
P.S. Case No. 366 of 2015, disclosing offence punishable under
Sections 302/201/34 of the Indian Penal Code.

The petitioner is in custody since 08.01.2020. His
prayer for regular bail was earlier rejected by an order dated
17.09.2020, passed in Cr. Misc. No. 21254 of 2020. The Court,
while rejecting the petitioner's application, had taken note of the
fact that the FIR was registered on 18.05.2015 and he evaded
his arrest for a considerable period of time despite his
anticipatory bail application having been rejected long back.

Mr. Bikram Deo Singh, learned counsel for the



petitioner has submitted that now since the petitioner has remained in custody for nearly one year and seven months, no tangible purpose will be served if he is compelled to remain in custody any further. He has submitted that in similar circumstance co-accused Subhash Choudhary has been granted regular bail by this Court.

The Court, however, distinguished the petitioner's case with that of co-accused Subhash Choudhary on several grounds, including the ground that he was in custody since 25.05.2015 and his application for bail was allowed on 19.04.2017 after repeated rejections.

Considering the fact that now the petitioner has remained in custody for a considerable period of time and there is no likelihood of the trial being concluded in near future, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna in Bihta P.S. Case No. 366 of 2015.

(Chakradhari Sharan Singh, J)

Rajesh/-

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