

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38465 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- BAHADURPUR District- Darbhanga

1. ADARSH KUMAR CHOUDHARY @ GOLU S/o Late Premshankar Choudhary R/o village- Dashar, P.S.- Bahadurpur, District- Darbhanga
2. Ashutosh Kumar Chodhary S/o Birendra Kumar Choudhary R/o village- Dashar, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Bahadurpur P.S. Case No. 108 of 2021 registered for the offences punishable under Sections 401, 414, 467, 468, 471, 34 of the IPC.

According to prosecution case, while the informant along with other police officials were checking the vehicle at Raghepura Chowk, two motorcycle borne persons started fleeing from there. Petitioners were apprehended by the police party. The petitioners could not produce any document relating



to the motorcycle.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have committed no offence and they have falsely been implicated in the present case. No incriminating article has been recovered from conscious possession of the petitioners. In fact, the petitioners have no concern with the motorcycle in question and the same was not recovered from possession of the petitioners. It is further submitted that police after investigation submitted charge sheet against the petitioners. Petitioners are in custody since 25.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga in connection with Bahadurpur P.S. Case No. 108 of 2021 , subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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