

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29908 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- KASHICHAK District- Nawada

AWADH CHAUDHARY S/O Mahadeo Chaudhary Resident of Village -
Harihar Bigha, P.S. - Kashichak, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-02-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 323, 341, 307, 302 and 504 of the Indian Penal Code.

Allegation against petitioner and other co-accused is to have assaulted the son of informant by means of Baletha on his head, as a result of which, son of the informant died.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexure 1 with liberty to the petitioner to renew his prayer after framing of charge.

It has been submitted on behalf of learned counsel for petitioner that informant is not an eye-witness and petitioner has been implicated due to previous enmity and it was accidental death. Charges have been framed on 06.07.2020. Petitioner has no criminal antecedent and he is in custody since



21.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kashichak P.S. Case No.116/2019, corresponding to Sessions Trial No.76/2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

Sanjay/-

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