

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46766 of 2021

Arising Out of PS. Case No.-404 Year-2019 Thana- MAJHAULIA District- West Champaran

Sonu Choudhary @ Sonu Kumar @ Sunu Kumar Son of Suresh Choudhari
Resident of Village- Pokariya Ray, Ward No.12, P.S.- Chanpatia, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-08-2021 Heard learned counsel for the parties through video conferencing.

This is 3rd attempt for grant of bail on behalf of petitioner. On last occasion, the bail petitioner of petitioner was rejected, vide order dated 04.11.2020 passed in Cr.Misc. No. 24060 of 2020.

It is submitted on behalf of the petitioner that in this case, charge has been framed on 13.01.2021 and the case is fixed for evidence, but even after lapse of seven adjournment, till date, no prosecution witness has turned up for evidence, though all witnesses are police personnel. In paragraph – 3 of the petition, it is stated that though, petitioner has got criminal antecedent and he is accused in eight more cases, but in seven



cases, he is on bail and in one case, he has not been remanded as yet. Petitioner is in custody since 03.08.2019.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. 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 IVth Additional Sessions Judge, Bettiah, West Champaran in connection with S.Tr. No. 207 of 2020, arising out of Majhauria P.S. Case No. 404 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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