

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39570 of 2020

Arising Out of PS. Case No.-343 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rahul Chaudhary @ Bikesh Chaudhary @ Rahul Kumar Chudhary @ Rahul
Kumar, Son Of Sri Sikandar Choudhary, Resident Of Moh-Gokhle Nagar
Bishnupur, P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Sukriti Kumari, Advocate
Mr. Abhay Kumar Thakur, Advocate
For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Begusarai Muffasil P.S. Case No.343 of 2020 corresponding to
G.R. No.2273 of 2020 registered for the offence punishable
under Sections 392 and 411 of the Indian Penal Code.

The allegation is that the informant's Scorpio
vehicle has been stopped and taken away by three persons,
including the petitioner, along with his two mobile phone of
Samsung make.

Petitioner's counsel submits that there is general
and omnibus allegation against the petitioner and his implication



is merely on suspicion. It is further submitted that there is no eye-witness to the occurrence and the recovery is also not from the conscious possession of the petitioner. He has no criminal antecedents and is in custody since 11.07.2020. Similarly situated co-accused Bibhisan Kumar has been allowed the privilege of bail in Cr.Misc. No.39980 of 2020, vide order dated 22.02.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned C.J.M., Begusarai, in connection with Begusarai Muffasil P.S. Case No.343 of 2020 corresponding to G.R. No.2273 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be



well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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