

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1355 of 2021

Arising Out of PS. Case No.-109 Year-2019 Thana- MAJHAULIA District- West Champaran

Sanjeet Kumar Chaudhary, son of Prabhu Chaudhary @ Prbhu Chaudhri,
Resident of Village- Hindu Chakiya, P.S.- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No.7, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 12-08-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Majhauliya P.S. Case No.109 of 2019 registered for the offence
punishable under Section 387 of the Indian Penal Code.

Since 06.12.2019, the petitioner is in custody in
connection with this case. It is stated that the petitioner is
accused in four other cases, out of which he is on bail in two



cases.

The allegation is that *Rangdari* was demanded from a mobile phone number and for non-fulfilment, firing was done at the shop of the informant.

Learned counsel for the petitioner submits that based on the confessional statement of co-accused Pintu Kumar, which has no evidentiary value, petitioner has been implicated in this case owing to his criminal antecedents. It is submitted that there is no recovery of any incriminating material from the petitioner and that neither mobile phone stands in his name nor he was the holder of the SIM card. Other co-accused similarly situated, namely, Priya Ranjan Kumar, has been allowed bail in Cr.Misc. No.46003 of 2019.

Learned APP for the State has referred to certain paragraphs of the case diary. The statement of the co-accused has implicated the petitioner as being one of the members among many who planned the occurrence while in jail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.



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 Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Majhauriya P.S. Case No.109 of 2019, 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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