

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7878 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- MAHILA P.S District- West Champaran

1. JOGONDRA CHAUDHARY @ YOGENDRA CHAUDHARY S/O LATE BIMAL CHAUDHARY R/O VILLAGE JAGDAMAPUR BHARPATIYA PS SRINAGAR DISTRICT WEST CHAMPARAN
2. SARVJEET @ SARVJEET CHAUDHARY @ JIUT CHAUDHARY S/O GAYA CHADUHARY R/O JAGDAMAPUR BHARPATIYA PS SRINAGAR DISTRICT WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 13-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

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

Petitioners seek bail in Mahila P.S. Case No. 21/2020 registered under Sections 341, 342, 323, 307, 354, 354(B)(C)(D), 498A, 295A, 509 and 34 of the IPC.

Alleging infidelity on the part of his wife, the husband co-



accused Ramayan Chaudhary has dragged her and also disrobed her. It is alleged that several relatives and villagers had assisted him. The petitioner no. 1 is the elder brother-in-law and petitioner no. 2 is co-villager.

It is submitted by petitioners' counsel that the specific allegations are against the husband. Several co-accused, 11 in number, including the petitioners, have also been dragged in this prosecution. Several co-accused have allowed bail in Cr. Misc. no. 3811/2021. The petitioners are similarly situated and are in custody since 16.8.2020. They have no criminal antecedents.

Learned APP has opposed the prayer for bail and submits that social crime has been committed by the petitioners.

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 petitioners' counsel. Prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah West Champaran in Mahila P.S. Case No. 21/2020 subject to the following conditions:-

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



petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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