

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7038 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- CHORAUT District- Sitamarhi

SHANKAR CHAUDHARY SON OF SAKUNT CHAUDHARY R/O
VILLAGE- BASOTRA, P.S.- CHARAUT, DISTRICT- SITAMARHI.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sewak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)

2 26-04-2021 The defect(s) as pointed out by the Office be removed by

the learned counsel for the petitioner within two months after

the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence
punishable under Section 307 and other allied sections of the
Indian Penal Code as well as Section 3/4 of the Prevention of
Damages to Public Properties Act, 1984.

According to prosecution case, while the informant and
other police officials had gone to village to arrest the accused in
connection with Charaut P.S. Case No. 66 of 2020, FIR named
accused along with 150 unknown persons attacked on the police
party.



It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of any overt-act against the petitioner. It is further submitted that on the alleged date of occurrence petitioner was under treatment in Darbhanga for his liver problem. Petitioner has criminal antecedent of two cases in which he has been granted bail. Petitioner is in judicial custody since 09.10.2020.

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 Charaut P.S. Case No. 69 of 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)

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