

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9165 of 2021**

Arising Out of PS. Case No.-715 Year-2020 Thana- SAHARSA SADAR District- Saharsa

Babaji Chaudhary @ Babaji @ Sanoj Choudhary, Son of Suresh Choudhary,
R/O Village- Ramphal Sah Tola, Ward No. 02, P.S.- Saharsa, Dist.- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 07-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 364, 365, 120(B) and added
Section 302 of the Indian Penal Code.

Allegation against the petitioner alongwith other
accused persons is said to have kidnapped the victim and killed
him.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case only on suspicion. He further submits that there is no eye
witness in this case. The petitioner is languishing in judicial
custody since 23.09.2020. The petitioner has got one criminal
antecedent which is mentioned in para 3 of the bail petition.



Learned APP for the State vehemently opposed the prayer for bail application and submits that the petitioner is main accused in this case.

I perused the record and case diary, there is no eye witnesses of the occurrence, it is stated in para 147 of the case diary. The petitioner has been made accused in this case only on suspicion.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Saharsa Sadar P.S. Case No. 715/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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