

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28514 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- MIRGANJ District- Gopalganj

Sheodhari Chaudhary @ Shiodhary Chaudhary @ Shivdhari Yadav S/o Late
Jangbahadur Chaudhary Resident of Village- Kodrahata, P.S.- Mirganj,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mrs. Anita Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 325, 307,
337, 338, 504, 506 and 34 of the Indian Penal Code and section
27 of the Arms Act.

According to prosecution case, in brief, that it is a case
of assaulting to the informant and his family members by the
accused persons including the petitioner.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that there is



admitted land dispute between the parties and there is case and counter case. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Muneshwar Yadav and Nitesh Yadav have been granted regular bail by a co-ordinate Bench of this Court vide order dated 12.05.2022 passed in Cr. Misc. No. 66254 of 2021, another co-accused, namely, Sarwan Kumar has been granted regular bail by a co-ordinate Bench of this Court vide order dated 19.05.2022 passed in Cr. Misc. No. 20810 of 2022, another co-accused, namely, Sunita Devi @ Sunita Chaudhary, Shivdhari Chaudhary, Ramlachhan Chaudhary, Shailendra Yadav @ Shailendra, Vinod Kumar @ Vinod Yadav, Dharmendra Yadav @ Dharmendra Chaudhary, Sharavan Kumar Yadav @ Shravan Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 14.06.2022 passed in Cr. Misc. No. 3536 of 2022, another co-accused, namely, Rajaram Choudhary @ Rajaram Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 14.06.2022 passed in Cr. Misc. No. 1501 of 2022. The petitioner is in custody since 29.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.



Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Mirganj P.S. Case No. 248 of 2021, subject to the following conditions:-

1. 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of



bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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