

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30070 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

1. Sharwan Chaudhary Son Of Lallan Chaudhary Resident Of Village - Saranpur (Bind Toli) P.S - Ara Muffasil Dist- Bhojpur
2. Harihar Chaudhary Son Of Lallan Chaudhary Resident Of Village- Saranpur (Bind Toli) P.S- Ara Muffasil, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 323, 337, 302 of the Indian Penal Code.

The brother of the informant is said to have been killed by the F.I.R named accused persons.

Learned counsel for the petitioners submit that the petitioners have clean antecedents and they have been falsely implicated in the present case only on the basis of suspicion. He



further submits that it appears from the F.I.R. that there is specific allegation of assault against co-accused Bachhadu Chaudhary and there is no specific allegation of assault against the petitioners rather there is general and omnibus allegation against the petitioner and other co-accused persons. He further submits that co-accused persons namely Fagu Chaudhary and Tufan Chaudhary have been granted bail by this Court vide order dated 15.02.2022 in Cr. Misc. No. 32975 of 2021, another co-accused namely Musafir Chaudhary has been granted bail by this Court vide order dated 29.03.2022 in Cr. Misc. No. 50236 of 2021 and another co-accused namely Raj Kumari Devi has been granted bail by this Court vide order dated 22.04.2022 in Cr. Misc. No. 65447 of 2021. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 17.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ara Mufassil P.S. Case No. 28 of 2022, with the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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