

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28854 of 2022

Arising Out of PS. Case No.-172 Year-2020 Thana- LADANIA District- Madhubani

RAJU CHAUDHARY @ RAJU KUMAR CHAUDHARY Son of Baidyanath
Chaudhary Resident of Village - Katha, P.S. - Ladaniya, District - Madhubani.
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Ladaniya P.S.
Case No. 172 of 2020 registered for the offence under Sections 364,
34 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and is in
custody since 22.03.2022.

The allegation against the petitioner is to kidnap the son of
the informant in order to commit murder..

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not named in F.I.R. and further he was
also not named in statement of victim recorded under Section 164 of
the Cr.P.C. It is also submitted that implication is false, out of local
differences arises from illegal trading of liquor. It is also submitted
that similar situated co-accused person has already granted bail by



one of the learned co-ordinate Bench by this Court through Cr. Misc. No. 29180 of 2021 vide order dated 01.12.2021. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, and also considering the statement of the victim recorded under Section 164 of the Cr.P.C., where petitioner was not named coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ladaniya P.S. Case No. 172 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Madhubani/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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