

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30959 of 2022

Arising Out of PS. Case No.-94 Year-2020 Thana- KHIRHAR District- Madhubani

Sanjeev Chaudhary Son Of Bhogendra Chaudhary Resident Of Village - And
P.S.- Khirhar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Sabiha Hayat, Advocate
		Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

The F.I.R. was lodged on recovery of dead body of the
husband of the informant from under the water.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case on the basis of suspicion. He



further submits that in the present case there is no eye witness of the alleged occurrence and during investigation no cognizant material has come against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Ajeet Rai has been granted bail by a co-ordinate Bench of this Court vide order dated 05.10.2021 passed in Cr. Misc. No. 27546 of 2021 and another co-accused has been granted bail by co-ordinate Bench of this Court vide order dated 18.04.2022 passed in Cr. Misc. No. 50818 of 2021. The petitioner is in custody since 15.04.2021.

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 Session Trial No. 306 of 2021 arising out of Khirhar P.S. Case No. 94 of 2020/G.R. No. 779 of 2020, 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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