

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35716 of 2022

Arising Out of PS. Case No.-188 Year-2022 Thana- NAUTAN District- West Champaran

NAGENDRA CHAUDHARY S/o Sukul Chaudhary R/o Village Tilangahi,
P.S.- Nautan, Dist.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 188 of 2022 registered for the offences punishable
under Sections 379, 401, 447, 448, 382, 511 of the Indian Penal
Code.

As per prosecution case, there is accusation against
the petitioner to make an attempt for taking out the battery from
the tractor in question but he was apprehended on spot. As per
seizure list, there is alleged recovery of one hammer as well as
Pilas and Chheni to open the battery from the tractor.

Learned counsel for the petitioner submits that



petitioner is in custody since 06.04.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner has no concern with said battery. Petitioner was returning from his work then at about 08:00 PM informant on suspicion stopped him and interrogated about two hours and assaulted him with other co-villagers.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Nautan P.S. Case No. 188 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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