

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36603 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- GAUTAMBUDHNAGAR District- Siwan

BUNNA CHAUDHARY @BUNNA NUT SON OF DASHARATH
CHAUDHARY @ DASHRATH NAT R/O- SASHA DHALA, P.S.-
MUFFASIL CHHAPRA, DIST.- CHHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni,Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with G.B. Nagar P.S. Case No. 23 of 2022 for the offences under
Sections 457, 380, 359 and 34 of the Indian Penal Code.

As per the allegation in the FIR, the informant alleged
that after the dinner, as he was sleeping, heard certain noise in
his house and upon enquiry, the accused persons said that they
have come from administration. However, as he shouted, the
villagers assembled there and caught hold of one of them, the
petitioner herein.



Learned counsel for the petitioner submits that for the said act of his, he has suffered a lot by being in custody since 31.03.2022 and has no criminal antecedent.

Taking into account the fact he do not have criminal antecedent, is in custody since 31.01.2022 and charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

If however, it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P.S. Case No. 23 of 2022, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police



station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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