

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36831 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- BHEJA District- Madhubani

Saroj Chaupal Son Of Mahendra Chaupal R/O Village- Kharik, P.S.- Bheja,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 21-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Bheja P.S. Case No. 50 of 2021 lodged under Sections 341, 323,
324, 354, 302, 379, 504, 506 and 34 of the I.P.C.

As per the prosecution case, the allegation against the
present petitioner is that he has made comment upon the sister
of the informant which was opposed by her thereafter scuffling
took place between the family members of the petitioner along
with the informant which resulted into death of the deceased.

Learned counsel for the petitioner submits that there is
nothing specific except that the petitioner has made comment

against his sister. So, according to him at worst Section 354 of the I.P.C. may be made out. Other Sections are not made out against the present petitioner. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 16.06.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, District- Madhubani in connection with Bheja P.S. Case No. 50 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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