

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47320 of 2021**

Arising Out of PS. Case No.-343 Year-2018 Thana- ARWAL District- Jehanabad

Dasarath Chaudhary Son of Sukhdev Chaudhary @ Ramjanam Chaudhary  
Resident of Village- Ahiyawar/Amiyawar P.S. Nasariganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Paras Nath, Advocate  
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      10-05-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 364/34 of the Indian Penal Code and later on Sections 302, 201 and 120(B)/34 of the Indian Penal Code was added.

Allegation of committing murder of informant's brother.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case merely on suspicion. He further



submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired only on the basis of confessional statement of co-accused namely Govind Chaudhary. He further submits that except the confessional statement of co-accused nothing has come against the petitioner and the similarly situated co-accused persons namely Mithilesh Kumar @ Butta @ Bullu has been granted bail by a Coordinate Bench of this Court vide order dated 29.08.2019 in Cr. Misc. No. 40169 of 2019 and another co-accused namely Upendra Chaudhary has been granted bail by a Coordinate Bench of this Court vide order dated 16.10.2019 in Cr. Misc. No. 44991 of 2019 respectively. Police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 11.02.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Arwal P.S. Case No. 343 of 2018, with 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 witness, 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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