

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39290 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

1. Suresh Choudhary Son Of Chandradeo Choudhary R/O Village- Dangara Tola, P.S.- Nokha, District- Rohtas
2. Chameli Devi W/O Satyendra Chaudhary R/O Village- Shivpur, P.S.- Nokha, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 06-12-2022 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Sasaram (M) P.S. Case No. 102 of 2021 registered for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

The accused/petitioners are not named in the F.I.R. and both are in custody since 22.08.2021.

A dead body was recovered by informant of this case, who is a local chowkidar, where during the course of investigation, it appears that petitioners committed murder,



where recovered dead body was none but the son of petitioner no.2.

Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye witness of the occurrence and, merely, on the basis of suspicion, as surfaced during the course of investigation, as petitioner no.1 and 2 have illicit relations, they have been implicated in the present case, without having any cogent reason. It is further submitted that both petitioners are distant relative and they discussed their family affairs over mobile phones and, merely, on the basis of call details report (CDR), petitioners cannot be implicated in the present case. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as informant is not the eye witness of the occurrence, where nothing surfaced beyond call details report (CDR) to incriminate these petitioners, who are distant relatives coupled with the fact that charge-sheet has been submitted, let the above named petitioners are directed to be released on bail in



connection with Sasaram (M) P.S. Case No. 102 of 2021 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
each with two sureties of the like amount each to the satisfaction
of learned Additional District and Sessions Judge, 22, Sasaram,
District- Rohtas/concerned Court, subject to the conditions as
laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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