

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48514 of 2021**

Arising Out of PS. Case No.-157 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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BATOHI CHAUDHARY @ KAPIL CHAUDHARY Son of Jagdish Chaudhary Resident of Village- Kaaji Chak, P.S.- Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 03-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Magadh Medical PS case no. 157 of 2020 instituted for the offences punishable under Sections 341, 323, 392/34 of Indian Penal Code.

The case of the prosecution in brief is that while the informant was traveling in his auto-rickshaw and had reached near Airport, three miscreants had arrived there and stopped the auto-rickshaw of the informant, had snatched the auto-rickshaw and fled away after assaulting the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having a clean antecedent and is languishing in custody since 07.03.2021. The learned counsel for the petitioner has further submitted that the petitioner is not named in the F.I.R., however his name has transpired in the confessional statement of the co-accused person namely Binod Kumar @ Vinod Kumar who has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.03.2021, passed in Cr. Misc. no. 1488 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Chief Judicial



Magistrate IV, Gaya in connection with Magadh Medical PS
case no. 157 of 2020.

(Mohit Kumar Shah, J)

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