

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47588 of 2022

Arising Out of PS. Case No.-119 Year-2018 Thana- BODHGAYA District- Gaya

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Jitu Choudhary Son Of Bhola Choudhary Resident Of Village - Bakraur, P.S.-
Bodh Gaya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 365, 302, 201, 120B/34
of the Indian Penal Code.

Earlier, prayer for bail of the petitioner was rejected
vide order dated 28.10.2021 passed in Cr. Misc. No. 24345 of
2021 with direction to the learned court below to conclude the
trial within six months.

In pursuance to the order dated 21.09.2022, status
report in connection with Bodh Gaya P.S. Case No. 119 of 2018
has been received and kept at Flag-A, in which it is reported that
uptill now no any witnesses have been examined. Execution
report of summons has been called for on 14.10.2022 and the
record is fixed for evidence.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has no criminal antecedent and he is languishing in judicial custody 23.03.2018 which is more than four years.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bodh Gaya P.S. Case No. 119 of 2018, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two



consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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