

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60564 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- CHANPATIA District- West Champaran

BALIRAM CHAUDHARY @ BALRAM CHAUDHARY Son of Sri
Kanchan Chaudhary Resident of Village - Uttarvahini Bhikhampur, P.S.-
Chanpatia (Sirisiya O.P.), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma, Adv
For the Opposite Party/s	:	Mr.Madhura Nand Jha, APP
For the informant	:	Mr. Ajay Kumar Singh No.1, Adv

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-02-2022 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 the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Chanpatia (Sirisiya O.P.) P.S.Case No.81 of 2020 registered for the offence under Sections 302,201 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons came to the house of the informant and took his son with them. Later his son was not returned and his dead body was found in the water.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Birendra Chaudhary. He further submits that co-accused, namely, Birendra Chaudhary has been granted bail vide order dated 20.10.2020 in Cr. Misc. No.27122 of 2020 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 03.06.2021.

Learned A.P.P. 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia (Sirisiya O.P.) P.S.Case No.81 of 2020 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/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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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