

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53736 of 2022**

Arising Out of PS. Case No.-38 Year-2021 Thana- SRINAGAR District- West Champaran

Nandu Chaudhary @ Nandlal Chaudhary Son of Bipat Chaudhary Resident of  
Village - Bagahi Baghambarpur, Khalwa Tola, P.s.- Shrinagar, Distt.- West  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate  
For the State : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      23-12-2022      This matter has been listed today for consideration  
through Video Conferencing.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

The petitioner in the present case seeks regular bail in  
connection with Shrinagar P.S. Case No. 38 of 2021 registered  
for the offences under Sections 341, 323, 324, 353, 379, 504,  
506 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner alongwith  
other co-accused persons assaulted forest guards and injured



them when they reached at the place of occurrence on secret information that some miscreants are planning to cut forest trees.

Learned counsel for the petitioner submits that petitioner is quite innocent and has falsely been implicated in this case on instance of one Jitendra Mukhiya who is on inimical terms with the petitioner. There is general and omnibus allegation against the petitioner. It is disclosed that petitioner has two criminal antecedent. Further, it is submitted that the petitioner is in custody since 16.04.2022 and Charge sheet has already been submitted in this case.

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

Considering the aforesaid 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 Chief Judicial Magistrate Bettiah, West Champaran / Successor Court in connection with Shrinagar P.S. Case No. 38 of 2021, subject to the following conditions.

(i) Petitioner shall cooperate in the trial and shall be physically present 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.

(ii) 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.

(iii) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

**(Sunil Dutta Mishra, J)**

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