

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66823 of 2021

Arising Out of PS. Case No.-600 Year-2021 Thana- BANKA District- Banka

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Pankaj Chaudhary @ Piku Chaudhary Son of Late Rohin Chaudhary Resident
of Village - Balarpur, P.s.- Banka, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 26-11-2022 Heard learned counsel appearing on behalf of the

petitioner 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 petitioner seeks bail in connection with Banka
(Barahat) P.S. Case No. 600 of 2021 registered for the offence
under Sections 302 and 34 of I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.08.2021.

The allegation against the petitioner is to commit
murder of husband of the informant, along with other co-
accused persons, by slitting his throat with sharp edge weapon
due to previous enmities.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has been falsely implicated in present case merely on the basis of suspicion, as one altercation took place with informant, some days earlier to the present occurrence, where nothing surfaced/recovered during the course of investigation in furtherance of said suspicion, as raised through F.I.R. to connect this petitioner, *prima facie*, with present set of occurrence/murder. It is submitted that admittedly, informant is not the eye witness of the occurrence. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, 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.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may connect this petitioner, *prima facie*, with present set of occurrence in furtherance of suspicion as raised through F.I.R., where informant is not the eye witness of the occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, are directed to be released on bail in connection with Banka (Barahat) P.S. Case No. 600 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Banka/concerned Court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

Ravikr-Pooja/-

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