

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60500 of 2022

Arising Out of PS. Case No.-473 Year-2021 Thana- PATNA CITY CHOWK District- Patna

Sudhir Chowdhary @ Chootu Chowdhary @ Sudhir Choudhary @ Chootu Chaudhary Son of Late Janki Choudhary Resident of Kahar Toli, Mahvir Asthan @ Akhada, Sampatchak, P.S- Chowk, Dist- Patna, At present Bahari Bagampur Chiniya Pokhara (Renter in the house of Santosh Soni), P.S- By pass, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate.
Mr. Bam Bahadur Jha, Advocate.
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-11-2022 Heard Mr. Ashok Kumar Jha, learned counsel appearing on behalf of the petitioner and Mr. Md. Nazir Ansari, learned APP for the State.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was directed to be released on bail vide order dated 20.05.2022 passed in Cr. Misc. No. 3602 of 2022. The bail bond of the petitioner was not accepted by the court below in view of one of condition of the bail regarding verification of the criminal antecedent of the petitioner and it was found that one more criminal case is pending against the petitioner. Thereafter, the petitioner filed Cr. Misc. No. 34687 of 2022 and in view of bar under Section 362 Cr.P.C., the petitioner was permitted to withdraw the application with liberty



to avail appropriate remedy. Thereafter, the petitioner moved before the court below and vide order dated 08.09.2022, the bail application of the petitioner was rejected by the court below.

Learned counsel appearing on behalf of the petitioner submits that no considerable progress has taken place in conduct of the trial and as the petitioner was released on bail considering the facts of the case and nature of allegation made against the petitioner, on similar grounds, the petitioner who is in custody since 24.11.2021 deserves to be released on bail.

Learned A.P.P. for the State has, however, opposed the prayer for grant of bail to the petitioner.

Considering the fact that this Court vide order dated 20.05.2022 passed in Cr. Misc. No. 3602 of 2022 has released the petitioner on regular 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 learned In-charge Special Judge, Excise, Patna in connection with Chowk P.S. Case No. 473 of 2021 and no substantial progress has taken place in conduct of the trial, the petitioner who has remained in custody since 24.11.2021, is directed to be released on bail on similar terms and conditions as contained in the order dated 20.05.2022 passed in Cr. Misc. No. 3602 of 2022.



Accordingly, the present bail application stands
disposed of.

(Purnendu Singh, J)

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