

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72233 of 2021

Arising Out of PS. Case No.-287 Year-2021 Thana- BELAGANJ District- Gaya

Shailendra Chaudhary @ Salendra Chaudhary S/O Late Sadhu Chaudhary
R/o village- Bhediya, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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 Belaganj
P.S. Case No. 287 of 2021 registered for the offence under
Sections 324, 341, 323 and 379 of the Indian Penal Code and
Section 37(ii) of Bihar Prohibition and Excise (Amendment)
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.08.2021.

The allegation against the petitioner is to cause injury
upon the informant with sharp cut weapon and also of theft in
the shop of the informant.

Learned counsel appearing on behalf of the petitioner



submitted that, admittedly, from the F.I.R., it appears that dispute is related with previous dues and also of destroying some egg tray, in drunken condition. It has been submitted that the nature of injury, as alleged, caused by the petitioner is simple. It has been pointed out that petitioner is involved in one more criminal case, in which he is on bail. While concluding the argument, it has been submitted that chargesheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the nature of injury is simple and it is not a case of recovery of illicit liquor.

Considering the facts and circumstances as mentioned above, as the nature of injury is simple coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Belaganj P.S. Case No. 287 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 Additional Sessions Judge-II-cum-Special Judge Excise, Gaya, subject to the following conditions:

“(i) That accused/petitioner shall



not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be Kanti Devi, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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