

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.714 of 2022

Arising Out of PS. Case No.-172 Year-2020 Thana- LADANIA District- Madhubani

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BHOGENDRA CHAUDHARY @ BHOGENDRA KUMAR CHAUDHARY
Son of Ram Ekwil Chaudhary @ Ramekwil Chaudhary Resident of Village-
Katha Tol, P.S.-Ladaniya, District-Madhubani Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Shubham, Advocate
For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-08-2022 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 Ladaniya
P.S. Case No. 172 of 2020 registered for the offence under
Sections 364, 34 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and
is in custody since 17.09.2021.

The allegation against the petitioner is to kidnap the
son of the informant in order to commit murder..

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not named in F.I.R. and further he
was also not named in statement of victim recorded under
Section 164 of the Cr.P.C. It is also submitted that implication is
false due to local differences arises from illegal trading of



liquor. It is further submitted that similar situated co-accused person has already granted bail by one of the learned co-ordinate Bench by this Court through Cr. Misc. No. 29180 of 2021 vide order dated 01.12.2021. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, considering the submission of the victim recorded under Section 164 of the Cr.P.C., where petitioner was not named coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ladaniya P.S. Case No. 172 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Madhubani/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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