

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71071 of 2022**

**In**  
**CRIMINAL MISCELLANEOUS No.22610 of 2022**

Arising Out of PS. Case No.-638 Year-2021 Thana- MUFFASIL District- West Champaran

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DINESH CHAUDHARY Son of Late Babulal Chaudhary R/V- Patarakha,  
P.S- Manuapul (O.P) Dist- West champaran Bettiah

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      21-12-2022                      Heard the parties.

Learned counsel for the petitioner submits that on 28.07.2022 the petitioner Dinesh Chaudhary was granted bail by this Court with a condition that he will be released after framing of charge. Learned counsel further submits that the charge has not been framed as yet because there are nine accused persons in the said case and only the present petitioner is in jail and the remaining accused persons have been released on bail but they did not turn up before the trial court and this is the reason, the charge has not been framed by the concerned court.

Learned A.P.P. opposed the contention of the learned counsel for the petitioner.

The order granting bail has been passed on



28.07.2022 and about five months time has been elapsed but charge has not been framed as yet.

Considering the aforesaid submission, the order on the point of framing of charge has been modified to the extent that the petitioner above named shall be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapul O.P.) P.S. Case No. 638 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall



continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

**(Alok Kumar Pandey, J)**

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