

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5377 of 2023

Arising Out of PS. Case No.-97 Year-2021 Thana- KADWA District- Katihar

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1. CHANDAN ROY @ CHANDAN KUMAR ROY S/O BIPIN RAY @ VIPIN RAY Resident of Village- Dhangama, P.S.- Kadwa, District- Katihar.
 2. MADAN ROY @ MADAN KUMAR ROY @ MADAN ROY S/O DHANU ROY Resident of Village- Singhiya Thathol, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners as well as
learned counsel for the Informant.

In this case, the petitioners are seeking regular bail in connection with Kadwa P.S. Case No. 97 of 2021, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

As per allegation, ten named accused persons including the petitioner badly assaulted the husband of the informant with *lathi*, *danda*, axe spear etc. and made him injured he breathed his last on the way to hospital.

Learned counsel for the petitioner has submitted that the petitioner is a person of clean antecedent. He has falsely been implicated. The allegation is general and omnibus. He has also



submitted that there is case and counter case and other co-accused persons have been granted bail by the coordinate Benches of this Court, in Cr. Misc. No. 54539 of 2021 and Cr. Misc. No. 58932 of 2021.

Considering the above-mentioned facts and circumstances, let the petitioners, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kadwa P.S. Case No. 97 of 2021, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offense, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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