

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5791 of 2023**

Arising Out of PS. Case No.-80 Year-2021 Thana- MANPUR District- Nalanda

MAHESH CHAUDHARY Son of Late Rameshwar Chaudhary Resident of  
Village - Kharebigha, P.S.- Manpur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satya Ranjan Sinha, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      02-05-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since  
23.10.2021 in connection with Manpur P.S. Case No. 80 of  
2021, S.T.No.51 of 2022, F.I.R. dated 13.06.2021 registered for  
the offence punishable under Sections 147,148,149,302 of IPC.

As per prosecution case, when the father of the  
informant did not return, the informant and others went out in  
search of him. They saw the petitioner and other co-accused  
persons assaulting the father of the informant, who later on  
succumbed to his injuries.

Learned counsel appearing for the petitioner submits  
that the petitioner has clean antecedent and he has falsely been  
implicated in the present case. Further submits that the



allegation as alleged in the FIR is false and fabricated. No such occurrence had taken place. As a matter of fact, neither the informant nor any body has seen the father of the informant being assaulted by the petitioner and other co-accused persons and allegation as alleged in the FIR is that the petitioner has assaulted with revolver but the injury report of the deceased shows that only one black spot on the neck and swelling on the chest have been found on the person of the deceased which falsifies the allegation as alleged in the FIR against the petitioner and other co-accused person, namely, Babloo Chaudhary, who is son of the petitioner, and Parsuram Chaudhary have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 18.10.2022 passed in Cr. Misc. No. 943 of 2022 and Cr. Misc. No.34804 of 2022 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.10.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and



Sessions Judge, Nalanda, Bihar Sharif in connection with Manpur P.S. Case No. 80 of 2021, S.T.No.51 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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