

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23547 of 2023

Arising Out of PS. Case No.-140 Year-2022 Thana- ROSHANGANJ District- Gaya

=====

PRADEEP CHAUDHARY S/O LATE RAM RATAN CHAUDHARY
Resident of Village- Raski, P.S.- Bankey Bazar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with
Raushanganj (Bankey Bazar) P.S. Case No. 140 of 2022 dated
23.06.2022 registered for the offence under Sections 302,
120(B) and 34 of the Indian Penal Code and Section 3/4 of
Dian Prevention Act.

The petitioner is alleged to have made conspiracy
against the mother of the informant and get her assaulted by
the F.I.R. named accused persons as a result of which she
sustained deadly injury.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been



implicated in this case. He further submits that it appears from the F.I.R. that the petitioner is made accused in this case on the ground that the petitioner is conspirator of the alleged occurrence but no specific allegation of assault of any overt act is attributed to the petitioner. Save and except that petitioner is stated to the conspirator of the alleged occurrence, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 18.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No. 140 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 canceled 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.

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)

brajesh/-

U		T	
---	--	---	--

