

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34053 of 2023

Arising Out of PS. Case No.-39 Year-2021 Thana- JOGAPATTI District- West Champaran

Rajesh Chaudhary Son of Nagina Chaudhary Resident Of Village - Piparapati,
P.O. - Dudhiawa, P.S. - Nawalpur, Distt. - West Champaran.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with
Sessions Trial No. 385/2021 arising out of Yogapatti P.S. Case
No. 39 of 2021 registered for the offence under Sections
363/365/34 of the Indian Penal Code and Section 364A added
later on.

4. The accused/petitioner is not named in the F.I.R.
and is in custody since 01.02.2021.

5. The allegation against the petitioner is to kidnap the
minor grandson of the informant aged about 14 years, alongwith
other co-accused persons.



6. Learned counsel appearing on behalf of the petitioner submitted that similarly situated co-accused, namely Jitendra Chaudhary and Santosh Chaudhary have already granted bail by learned Trial Court itself by taking note of the observation as passed by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 63194 of 2021 dated 22.11.2022. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, while opposing the prayer of bail fairly found conceded with the submission as raised by learned counsel appearing on behalf of the petitioner.

8. Considering the facts and circumstances as mentioned above as other similarly situated co-accused persons granted bail, in light of observation as made by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 63194 of 2021 dated 22.11.2022, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 01.02.2021, accordingly, petitioner above named, is directed to be released on bail in connection with Sessions Trial No. 385/2021 arising out of Yogapatti P.S. Case No. 39 of



2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District & Sessions Judge, Bettiah, West Champaran/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/-

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

