

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36507 of 2023

Arising Out of PS. Case No.-180 Year-2011 Thana- KISHANPUR District- Supaul

Chandra Shekhar Choudhary @ Chandrashekhar Kumar Choudhary S/O
Shivshankar Choudhary R/O Village. Satkadoriya, PS. Raghapur, Dist.
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 17.11.2022, in connection with Kishanpur P.S. Case No. 180 of 2011, F.I.R. dated 24.11.2011 registered for the offences punishable under Sections 341, 366, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that the petitioners along with other co-accused persons came at house and took away the wife of the informant. It is further alleged that the accused persons also snatched cash and threatened the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that nothing has been recovered from the conscious or the house of the petitioner and the statement of the victim under Section 164 of the Cr. P.C. was recorded and from perusal of the statement of the victim, it appears that no case is made out against the petitioner. He further submits that co-accused person namely Ratan Choudhary @ Ratan Kumar Choudhary against whom the similar allegation has been granted the privilege of anticipatory bail by a Coordinate Bench of this court vide order dated 03.07.2023 passed in Cr. Misc. No. 13353 of 2023 and another co-accused persons namely Shiv Shankar Choudhary and Subodh Choudhary have been granted bail by a Coordinate Bench of this Court vide order dated 22.06.2023 passed in Cr. Misc. No. 15330 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.11.2022.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, 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 Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 180 of 2011, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 antecedents, 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)

Ibrar//-

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

