

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48800 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- VIDYAPATINAGAR District-
Samastipur

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1. Manoj Choudhary Son Of Baleshwar Choudhary Resident Of Village - Sherpur, P.S. - Vidyapati Nagar, District - Samastipur
 2. Dinesh Choudhary @ Ganaur Choudhary Son Of Gita Choudhary Resident Of Village - Sherpur, P.S. - Vidyapati Nagar, District - Samastipur
 3. Subodh Choudhary Son Of Jagdish Choudhary Resident Of Village - Sherpur, P.S. - Vidyapati Nagar, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 10-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Vidyapati Nagar P.S. Case No. 132 of 2022 dated 15.10.2022 registered for the offences punishable u/s 364 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have assaulted and kidnapped the brother-in-law(*devar*) of the informant while he went to the market to buy fertilizer from the shop. It is further alleged that they also snatched money from the informant's brother-in-law.



4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. No incriminating article has been recovered from the possession of the petitioners. There is no eye witness to the alleged occurrence. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Dalsingh, Sarai, Samastipur in connection with Vidyapati Nagar P.S. Case No. 132 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive



dates without reasonable cause, the
prosecution will be at liberty to move
for cancellation of their bail bond.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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