

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51720 of 2023

Arising Out of PS. Case No.-176 Year-2019 Thana- MANSI District- Khagaria

1. Ranjan Chaudhary Son of Ashok Chaudhary Resident of village - Khirniya,
P.s. - Manshi, Distt. - Khagaria
2. Jitendra Chaudhary Son of Ashok Chaudhary Resident of village - Khirniya,
P.s. - Manshi, Distt. - Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Ramakant Akela, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners seek bail, who are in custody since
29.05.2023, in connection with Mansi P.S. Case No. 176 of
2019, F.I.R. dated 13.07.2019 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

3. Allegation against the petitioners is that they
along with other co-accused persons have committed murder of
the informant's sister by conspiracy.

4. Learned counsel for the petitioners submits that
the petitioners have clean antecedent and they have 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. and the police after investigation submitted final form in favour of the petitioners as mistake of fact but the learned Chief Judicial Magistrate, Khagaria has differed with the final report and took cognizance of an offence under Section 304 of the Indian Penal Code and the petitioners are in custody since 29.05.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 176 of 2019, subject to the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without



sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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