

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55828 of 2023

Arising Out of PS. Case No.-490 Year-2021 Thana- JOGAPATTI District- West Champaran

Rajan Chaudhary S/o Late Lalan Chaudhary R/o Village-Lagunaha Patihar,
P.S.-Chautarwa, District-West Chamaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Jogapatti (Sanichari) P.S. Case No. 490 of 2021 registered for the offence punishable under Sections 399/402 of the I.P.C., under Sections 25(1-b)a/26/35 of the Arms Act and under Sections 20/22/23/24/25/27A of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that earlier prayer for bail of the petitioner was rejected vide order dated 08.12.2022 passed in Cr. Misc. No.42413 of 2022 with liberty to renew the prayer after six months after framing of the charges.

4. Learned counsel for the petitioner submits that charges in this case has been framed on 06.02.2023 and six



months has already elapsed. Learned counsel further submits that other similarly situated co-accused have been granted bail by this Court as well as coordinate Bench of this Court.

5. Learned counsel for the State opposes the prayer for bail but submits that some of the accused persons similarly situated have been granted bail by the coordinate Bench of this Court.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Bettiah, West Champaran, in connection with Trial No.13 of 2022, arising out of Jagopatti(Sanichari) P.S. Case No.490/2021, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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