

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61724 of 2023**

Arising Out of PS. Case No.-128 Year-2022 Thana- GANDHIMAIDAN District- Patna

Gama Choudhary Son Of Late Chandeshwar Choudhary Village Bagahi  
Ratanpur, PS- Bairiya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate  
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      01-11-2023                      Heard Ld. counsel for the petitioner and learned APP  
for the State.

2. The petitioner seeks bail in connection with Gandhi Maidan P.S. Case No. 128 of 2022, registered for the offences punishable under Sections 379, 419, 420/ 34 of the Indian Penal Code.

3. Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail vide Cr. Misc. No. 49250 of 2022, which was rejected with an observation that if the trial is not concluded within a period of six months, the petitioner will be at liberty to renew his prayer for bail. He further submits that since the trial has not been concluded in the stipulated time, the petitioner, vide present application, has renewed his prayer for bail.



4. Ld. APP for the State opposes the prayer of the Petitioner for bail.

5. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this **application is allowed**, directing the petitioner, above named, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Gandhi Maidan P.S. Case No. 128 of 2022, in connection with Ld. Chief Judicial Magistrate, Patna on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. court below



shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding the previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the petitioner.

6. Ld. Counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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