

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59607 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- SAHAR District- Bhojpur

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1. PARAS BIND @ PARAS CHOUDHARY S/O SUDAMA BIND @ SUDAMA CHOUDHARY Resident of village- Karbasin, Satara Tola, P.S.- Azimabad, District- Bhojpur (Arrah).
 2. SUDAMA BIND @ SUDAMA CHOUDHARY S/O MUSAFIR BIND Resident of village- Karbasin, Satara Tola, P.S.- Azimabad, District- Bhojpur (Arrah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Chandan Kumar Verma
For the Opposite Party/s :	Mr. Nawal Kishore Prasad
For the Informant :	Mr. Raju Kumar Singh
	Ms. Priyanka Kumari
	Ms. Anjana Gupta

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-02-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Sahar P.S. Case No. 102 of 2022, registered for the offences punishable under Sections 364, 302, 201 and 120(b) of the Indian Penal Code.

The prosecution case as emerging from the FIR is that on 10.05.2022 at about 06:00 the informant got the information that his son had gone to meet his girlfriend but



later in the night when he did not return, the informant started searching him and next day at about 07:00 A.M. he found the dead body of his son near Karbasin Tola. It is further alleged that the petitioner and their associates killed his son.

Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He also submits that the whole case is based on suspicion and even after investigation there is no concrete material to connect the petitioner with the alleged offence and no eye witness has been examined during the investigation. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioners have been languishing in jail since 12.05.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioners have no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.



However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-V, Bhojpur, Ara in connection with Sahar P.S. Case No. 102 of 2022, on the following conditions:

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

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

(iii) The petitioners 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 them



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 petitioners have any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

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

Ld. counsel for the petitioners is directed to remove all the defects, if any, 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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