

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67177 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- RAGHOPUR District- Supaul

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Ajay Kumar Chaudhary, Son Of Mantu Choudhary Resident Of Village-
Dharhara, P.S.- Raghapur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shilpi Keshri, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Raghapur P.S. Case No. 153 of 2023, lodged on 17.04.2023
under Sections 324, 326, 307, 506 & 34 of the Indian Penal
Code and under section 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against 5 unknown accused persons including the present
petitioner.

4. Learned counsel for the petitioner submits that
from the contents of the FIR, the allegation against the present
petitioner and one Laxman Kumar Shah being the order giver,
whereas, the specific allegation is against co-accused Banti
Kumar Yadav. He further submits that the antecedent of the



petitioner is clean and he is in custody since 18.04.2023. He further submits that exactly similarly situated accused person has been granted bail by a co-ordinate Bench of this Court vide order dated 01.09.2023 passed in Criminal Miscellaneous No. 58252 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it transpires from the allegation that the petitioner is the order giver.

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 District and Sessions Judge, 2nd, Supaul in connection with Raghopur P.S. Case No. 153 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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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