

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67167 of 2023

Arising Out of PS. Case No.-122 Year-2020 Thana- ALOULI District- Khagaria

SUBHASH CHAUPAL @ SUBHASH TANTI S/O LAKSHMI CHAUPAL
RESIDENT OF VILLAGE DHAREBA, PS- BITHAN, DIST-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-12-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Let the defect(s), if any, be removed within a
period of four weeks from today.

3. The petitioner seeks bail in connection with Alauli
P.S. Case No. 122 of 2020 registered for the offence under
Sections 302, 307, 120B/34 of the Indian Penal Code and under
Section 27 of the Arms Act.

4. As per the prosecution case, Samsheer Mukhiya,
Bidyanand Yadav, Arun Yadav, Ajay Mukhiya and Vikram Tanti
are the assailants of the deceased and the name of the petitioner
has transpired in the confessional statement of the co-accused
Vikram Tanti.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on the basis of confessional statement of other co-accused. He further submits that the one Kuldeep Yadav who was made accused in the present case on the basis of confessional statement of Shamsheer Mukhiya has been granted bail by this Court vide order dated 18.01.2023 passed in Cr. Misc. No. 23592 of 2022.

6. Learned counsel for the petitioner also submits that the petitioner has one criminal antecedent and he is in custody since 04.01.2021.

7. Learned A.P.P. has vehemently opposed the prayer for bail.

8. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-V, Khagaria in connection with Alauli P.S. Case No. 122 of 2020.

10. As a condition of this order, the Court below is directed to verify the criminal antecedents of the petitioner and



in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court below shall take steps for cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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