

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66615 of 2022**

Arising Out of PS. Case No.-100 Year-2022 Thana- ROSHANGANJ District- Gaya

VIKASH CHAUDHARI S/o Samundar Chaudhari @ Samundra Chaudhari
R/v- Lemboiya, P.S.- Roshanganj, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 11-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Roshanganj P.S. Case No. 100 of 2022 dated 15.05.2022
registered for the offence under Sections 427 and 307 of the
Indian Penal Code and Section 27 of the Arms Act.

Two miscreants are alleged to have set fire after
sprinkling petrol on the JCB machine and fled away.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has not been named in the F.I.R. but his name
transpired in this case on the basis of confessional statement of
the co-accused, Chhotu @ Dhananjay Chaudhari, who has been



identified by the informant. He further submits that the petitioner has not played any role in the alleged occurrence, however, he has been remanded in this after being apprehended in connection with Roshanganj P.S. Case No. 109 of 2022 on 28.06.2022. No T.I.P. has been conducted as yet by the prosecution and nor anything incriminating has been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 28.06.2022

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Roshanganj P.S. Case No. 100 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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