

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69535 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- MANSURCHAK District- Begusarai

Bachha Choudhary S/O Late Ram Bahadur Choudhary R/O Village-
Ahiyapur, P.S- Mansoorchak, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mansoorchak P.S. Case No. 75 of 2022, lodged on 16.08.2022
under Sections 363/365/385/120B/506 of the I.P.C.

3. As per the prosecution FIR has been lodged against
five named and 4-5 unknown accused persons. Specific
allegation made against the present petitioner is that upon
getting knowledge of kidnapping, the informant visited to the
house of present petitioner and requested him to save his child
upon which he has asked him to provide rupees one lac to the
kidnappers then his son shall come back.

4. Learned counsel for the petitioner submits that
there is no allegation of kidnapping against the petitioner. He



further submits that antecedent of the petitioner is clean and is in custody since 14.05.2023. Charge sheet against the petitioner has already been submitted in this case. Counsel further submits that the informant himself admits that there is no involvement of the petitioner in this case; rather he himself visited to the house of the petitioner and prayed to save the life of his son and Bachha Choudhary assured him and said him to provide rupees one lac to the kidnappers, but subsequently his dead body was recovered.

5. Learned counsel for the State opposes the prayer for bail and submits that direct allegation is not against the petitioner of kidnapping, but the dead body of the informant's son was found.

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 Judicial Magistrate, 1st Class, Begusarai, in connection with Mansoorchak P.S. Case No.75/2022, subject to 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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