

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70967 of 2023

Arising Out of PS. Case No.-192 Year-2020 Thana- NARDIGANJ District- Nawada

Karu Chaudhary Son Of Late Lalo Choudhary Resident Of Village - Bhadour,
P.S. - Nardiganj, District - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Nardiganj P.S. Case No.192 of 2020, lodged on 25.08.2020,
under Sections 147/148/149/302 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against ten named accused persons including the present
petitioner. From the FIR it transpires that specific allegation of
assault is against accused, namely, Mithilesh Choudhary and
Gorelal Choudhary and against rest others there are general and
omnibus allegation.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that against the petitioner there is no allegation of any



overt-act. Allegation is against only two named accused persons, namely, Mithilesh Choudhary and Gorelal Choudhary. Counsel further submits that antecedent of the petitioner is clean. He is in custody since 05.04.2023 and other two co-accused having same allegation has been granted bail by a coordinate Bench of this case vide order dated 15.05.2023 passed in Cr. Misc. No.12088 of 2023.

5. Learned counsel for the State opposes the prayer for bail.

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 Sessions Judge-II, Nawada, in connection with Nardiganj P.S. Case No. 192 of 2020, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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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