

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70507 of 2022

Arising Out of PS. Case No.-813 Year-2019 Thana- ALAMGANJ District- Patna

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Suman Kumar @ Suman Chaudhary S/O Pradeep Kumar @ Chunnu Prasad
@ Pradip Kumar Singh R/O Mohalla Gur-ki-Mandi, P.S- Alamganj, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 08-09-2023 Heard Mr. Hemant Kumar, learned Advocate for

the petitioner and the State.

2. The prayer for bail of the petitioner was
earlier rejected by this Court *vide* order dated
04.01.2021 passed in Cr. Misc. No. 25906 of 2020.

3. The petitioner and two others are alleged to
have abducted the deceased whereafter his dead body
was recovered.

4. The learned counsel for the petitioner has
submitted that the two other accused persons have been
granted bail; one by the High Court and the other by the



court below.

5. The allegation against co-accused Jaglal Choudhary @ Jaggu Choudhary is exactly similar to that of the petitioner.

6. Apart from the evidence of last seen, there is no other material against the petitioner to connect him with the offence.

7. This Court had asked for a report from the court below about the stage of the case. The report dated 14.02.2023 suggests that not much progress has been made in the trial.

8. Regard being had to the fact that a similarly situated co-accused person has been granted bail and the trial has not even begun as also that the petitioner is in custody since 15.11.2019, this Court is inclined to grant bail to him during the pendency of the trial.

9. Considering the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge, Patna City in connection with Sessions Trial No. 213 of 2020, arising out of Alamganj P.S. Case No. 813 of 2019.

10. It is however made clear that if the petitioner will not participate in the trial, the bail granted to him would be liable to be cancelled. It is further observed that in the event of absence of the petitioner for two consecutive occasions from the trial proceedings without appropriate cause and prior permission of the court, the trial court shall proceed to cancel his bail.

11. The petition stands allowed.

(Ashutosh Kumar, J)

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