

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.467 of 2023**

Arising Out of PS. Case No.-255 Year-2021 Thana- CHENARI District- Rohtas

Suresh Chaurasiya, Son of Late Ashok Chaurasiya, Resident of Mohalla -  
Lakhnusarai, P.S.- Sasaram Town, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

ORAL ORDER

2      22-03-2023      Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Heard Mr. Uma Shankar Singh, learned counsel  
appearing on behalf of the petitioner and the learned APP for the  
State.

The petitioner seeks regular bail, who is in custody in  
connection with Chenari P.S. Case No. 255 of 2021 registered  
for the offence punishable under Sections 341, 323, 307, 504,  
506/34 of the Indian Penal Code and Section 27 of the Arms  
Act.

The prosecution case is based on the written report of  
the informant, alleging therein, that while he was going to his  
house, four unknown persons surrounded him and started



assaulting him and thereupon they fled away by making firing.

Learned counsel appearing on behalf of the petitioner submits that the from the FIR it is evident that the same has been instituted against unknown miscreants, however, during the course of investigation the petitioner has been arrested on 23.09.2022 and thereupon after recording his confession, his name has been implicated in the present case along with other cases. He next submits that the other co-accused persons having similar allegation have been allowed bail by the Court below itself and so far the present petitioner is concerned, he is in custody since 23.09.2022 though the investigation of the crime is complete and the charge-sheet has been submitted.

On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is found involve in various other criminal cases.

At this juncture, learned counsel for the petitioner submits that after arrest being made, the petitioner has been remanded in various cases, despite there being no material against him.

Regard being had to the submissions made on behalf of the parties and considering the fact that petitioner is neither named in the FIR nor any incriminating material has been



recovered, coupled with the period of custody and the fact that the charge-sheet has been submitted , let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate II, Rohtas at Sasaram in connection with Chenari P.S. Case No. 255 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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