

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5151 of 2024

Arising Out of PS. Case No.-145 Year-2022 Thana- SAKURABAD District- Jehanabad

1. RAJU CHAUDHARY SON OF SADHU CHAUDHARY RESIDENT OF VILLAGE - JANKI KUNJ, POLICE STATION - SHAKURABAD, DISTRICT - JEHANABAD
2. SUBHAM KUMAR THAKUR SON OF ASHOK KUMAR RESIDENT OF VILLAGE - BALA BIGHA, POLICE STATION - MEN, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Advocate Mr. Dharendra Kumar Sinha, Advocate Mr. Asif Kalim, Advocate
For the Opposite Party/s	:	Mr. Ram Sevak Chowdhary, APP
For the Informant	:	Mr. Anshul, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-02-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Shakurabad P.S. Case no.145 of 2022 registered under sections 302, 379 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that six named accused persons called his younger brother on the pretext of settling the case. Thereafter his brother did not return. The next morning his dead body was recovered.

4. It is submitted by learned counsel for the petitioners that six persons have been named in the FIR. The petitioners have not been named therein. At best the case against



the FIR named accused persons is of last seen and the case of the petitioners stands on a better footing than the FIR named accused. Amongst the FIR named accused, Bitti Kumar and Bakhora Paswan have been enlarged on bail vide orders dated 29.8.2023 passed in Cr.Misc. no.14509 of 2023 and dated 5.1.2024 passed in Cr.Misc. no. 83736 of 2023 respectively. The petitioners are in custody since 30.11.2022 and 7.6.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioners herein not having been made named accused therein, grant of bail to the two FIR named accused vide orders aforesaid, the petitioners being in custody since 30.11.202 and 7.6.2023 respectively and chargesheet having been submitted in the case, the Court directs the petitioners to be enlarged on bail in connection with Shakurabad P.S. Case no. 145 of 2022 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Jehanabad.

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(Partha Sarthy, J)

