

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9031 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- ASHTHAWAN District- Nalanda

1. Meghan Choudhary S/o- Doman Choudhary @ Domu Choudhary Village- Jiyar Ps- Asthawan Dist- Nalanda
2. Doman Choudhary @ Domu Choudhary son of Late Kameshwar Choudhary Village- Jiyar Ps- Asthawan Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
S. Tr. NO. 840/2023 (arising out of Asthawan P.S. Case No.
164/2023) lodged on 07.07.2023 under Sections 147, 148, 149,
341, 302, 342, 120B of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against seven named and five unknown accused persons
including the present petitioners with an allegation of killing the
husband of the informant.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. In fact,



the petitioner have been named in this case due to dirty village politics. The informant is no eye witness to the occurrence. From the contents of the FIR, it itself appears that there is no specific allegation against the petitioners rather the accusation levelled against him is omnibus and general being member of a mob. The petitioners are in custody since 08.07.2023. Petitioner No. 2 is accused in one more criminal cases in which, he has been granted bail while petitioner no.1 have no criminal antecedent. The charge has already been framed and the trial has been commenced. The petitioner is ready to abide by all the conditions whatsoever may be imposed upon him.

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 petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda, 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 petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners 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 petitioners 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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