

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10193 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- NAUTAN District- West Champaran

Dharmendra Chaudhary, Son of Late Nagendra Chaudhary @ Nagedar Chaudhary, Resident of Village-Churiharwa Patkhoul, Police Station-Nadi, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Nautan P.S. Case No. 398 of 2023, instituted for the offences punishable under Sections 413, 414 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner has been arrested by the police with the stolen tractor bearing Registration No. BR-22GB-6259.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has no concern with the seized tractor. The petitioner took lift from the co-accused in the said tractor. The petitioner has one criminal antecedent as has been



stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 19.09.2023. Charge-sheet has already been submitted in the present case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 19.02.2024 passed in Cr. Misc. No. 8304 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nautan P.S. Case No. 398 of 2023.

(Rudra Prakash Mishra, J)

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