

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12261 of 2024

Arising Out of PS. Case No.-947 Year-2019 Thana- PHULWARISHARIF District- Patna

Shekhar Chaudhary @ Shekhar Kumar son of Bishundeo Chaudhary @
Vishnu Deo Choudhary R/o- Ranipur More, Pethiya Bazar Ps- Phulwari
Sharif Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 1159 of 2023 arising out of Phulwari Sharif
P.S. case No. 947 of 2019 instituted for the offences under
Section 395 of the Indian Penal Code.

3. Prosecution case, in short, is that 6-7 unknown
miscreants, armed with weapons, entered the house of the
informant and looted gold and other valuables along with Rs. 10
lakh.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



has transpired in this case on the basis of confessional statement of the co-accused Sonu Querassi @ Takla who has already been granted the privilege of bail by the learned court below. There is no recovery of any looted article from the possession of this petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. It has been submitted on behalf of the petitioner that the petitioner has been remanded in this case on 05.06.2023 and has five criminal antecedents but he is on bail in all the five cases.

5. Learned A.P.P. 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 as also the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 1159 of 2023 arising out of Phulwari Sharif P.S. case No. 947 of 2019, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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