

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13363 of 2024

Arising Out of PS. Case No.-639 Year-2019 Thana- DANAPUR District- Patna

CHUCHU KUMAR @ CHUCHU PRASAD @ CHUCHU YADAV S/O
LATE DINESH RAI @ DINESHWAR RAI @ BINDESHWAR RAI @
BINESH RAI R/O VILLAGE- NIZAMAT NAGAR KRISHI FARM, P.S-
SHAHPUR, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and learned APP

for the State.

2. The petitioner seeks bail in a case registered for the offence punishable u/s 302, 120(B)/34 of the IPC and section 27 of the Arms Act.

3. Earlier, twice, the prayer for bail of this petitioner was rejected vide order dated 01.06.2021 passed in Cr. Misc. No.3772 of 2021 and 30.03.2022 passed in Cr. Misc. No.5027/2022 by this Court.

4. The petitioner has now filed this application for bail.

5. A report was called for in this case on 01.03.2024. The same has been received and kept at Flag 'R'. It is stated in the said report that one eye witness and two official witnesses I.O.



and Doctor have remained for examination. It is submitted by learned counsel for the petitioner that the informant has been declared hostile. He enclosed the deposition of the P.W.4. It is further submitted that the petitioner is in custody since 17.08.2019.

6. Considering the submissions made and the period of custody of the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Danapur P.S. Case No.639 of 2019, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.



(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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