

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21004 of 2024**

Arising Out of PS. Case No.-494 Year-2023 Thana- RAJAOLI District- Nawada

RAMRATAN CHAUDHARI SON OF LATE SUNIL CHOUDHARI @  
BALI CHOUDHARI R/O-PURANI DURGA SHTAN, SIKANDARA, P.S.-  
SIKANDARA, DISTT.-JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

4      12-07-2024      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Ra-  
jauli P.S. Case No. 494 of 2023 registered for the offences pun-  
ishable under Sections 399, 402 of the Indian Penal Code, and  
section 25(1-B)a/26/35 of the Arms Act.

3. As per prosecution case, there is alleged recov-  
ery of one country made pistol with one two live cartridges  
alongwith a mobile phone from the possession of the petitioner.

4. Learned counsel for the petitioner submits that  
petitioner is having criminal antecedent of 16 cases and in all  
the cases petitioner is on bail. Petitioner is in custody since  
06.10.2023. Petitioner has not committed any offence as alleged

in the first information report and he has been falsely implicated in one case after another without any basis just because petitioner is having criminal antecedent of several cases. Seizure has not been made as per law. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Nawada in connection with Rajauli P.S. Case No. 494 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will re-

main present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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