

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34242 of 2024

Arising Out of PS. Case No.-102 Year-2022 Thana- SAHAR District- Bhojpur

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Mukesh Chaudhary @ Mukesh Kumar Choudhary Son Of Bindeshwar Bind
@ Dineshwar Bind @ Bindeshwar Chaudhary Resident Of Karbasin, Satyari
Tola, P.S- Azimabad, District- Bhojpur (ARRAH)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2024 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

2. The petitioner seeks regular bail in connection with
Sahar P.S. Case No. 102 of 2022, dated 12.05.2022 registered
for the offences punishable under Sections 364, 302, 201 and
120(b) of the Indian Penal Code.

3. The prosecution case as emerging from the FIR is
that on 10.05.2022 at about 06:00 the informant got the
information that his son had gone to meet his girlfriend but
later in the night when he did not return, the informant
started searching him and next day at about 07:00 A.M. he
found the dead body of his son near Karbasin Tola. It is
further alleged that the petitioner and their associates killed



his son.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He also submits that the whole case is based on suspicion and even after investigation there is no concrete material to connect the petitioner with the alleged offence and no eye witness has been examined during the investigation. He also submits that the investigation in this case is complete and charge-sheet has already been submitted. He further submits that similarly situated co-accused persons, namely, Paras Bind @ Paras Choudhary and Sudama Bind @ Sudama Choudhary have already been enlarged on bail by this Court *vide* order dated 17.02.2023 passed in Cr. Misc. No. 59607 of 2022. He further submits that the petitioner has been languishing in jail since 05.01.2024.

5. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

6. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

7. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the



sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-V, Bhojpur at Ara in connection with Sahar P.S. Case No. 102 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the Court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(iv) In case, it is brought to the notice of the Court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

Shoaib/Ravi
Shankar-

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