

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43149 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- ASHTHAWAN District- Nalanda

Shankar Chaudhary Son Of Rajendra Chaudhary Resident Of Vill- Konand,
P.S.- Astawan, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 30-08-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner has preferred this application for
grant of regular bail in connection with Sessions Trial no. 755 of
2023 arising out of Asthawan P.S. Case no. 116 of 2023
registered under sections 302, 307, 341, 323, 504 and 34 of the
Indian Penal Code.
3. As per the prosecution case, the informant states
that as a result of family dispute as described in the F.I.R, the
petitioner herein happens to be a brother-in-law and his wife
started to abuse and assault. As a result of blow given by the
petitioner, her husband fell down unconscious and subsequently
died.
4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. Even as per the prosecution case there is no allegation of repetition of blow against him. It is further submitted in reference to the order of the learned trial Court that charge has been framed in the learned trial Court and examination of witnesses has started. The petitioner undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, there being no allegation of repetition of blow against this petitioner, the petitioner being in custody since 14.7.2023 and charge having been framed in the learned trial Court, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 755 of 2023 arising out of Asthawan P.S. Case no. 116 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned VIIIth Additional District & Sessions Judge, Nalanda at Bihar Sharif on the following conditions:-

(1) The petitioner shall remain physically present in



court on each date of the trial and shall cooperate in the trial.

(2) In case the petitioner is absent on any date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into the custody till conclusion of the trial.

(Partha Sarthy, J)

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