

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49012 of 2024

Arising Out of PS. Case No.-129 Year-2024 Thana- AMARPUR District- Banka

Chandan Choudhary S/O Birendra Choudhary @ Birendra Kumar Chodhary
R/O Village-Bharko,P.S.-Amarpur, Distt-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Amarpur P.S. Case No. 129 of 2024 dated 26.02.2024, lodged
under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected *vide* order
dated 27.05.2024 passed in Cr. Misc. No. 38486 of 2024 with
liberty granted to the petitioner that he may renew his prayer for
bail after framing of charge. Counsel submits that charge has
been framed in this case on 01.06.2024 and presently, case is at
the stage of prosecution witness. Counsel further submits that
the criminal antecedent of the petitioner is not clean as there are
two criminal cases pending against him in which in both the



cases, he is on bail. Counsel submits that the petitioner is in custody since 26.02.2024. Counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

4. Learned APP for the State opposes the prayer for bail of the petitioner.

5. In the present facts and circumstances of this case, let the petitioner above named, be granted bail as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 129 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

6. Pending cases against the petitioner are as follows:-

I. Amarpur P.S. Case No.525 of 2023

II. Amarpur P.S. Case No.127 of 2024.

(Dr. Anshuman, J)

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