

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54384 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- MANJHI District- Saran

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Ajeet Chaudhary @ Motaka @ Goraka @ Moraka Son of Nand Kumar
Chaudhary R/O Vill.- Durgapur, P.s.- Manjhi, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjani Parashar
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-09-2024 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Manjhi P.S. Case No. 324 of 2023, registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that on 30.10.2023 the husband of the informant went for evening walk however but he did not return. Later on, in the morning his dead body was found. Suspicion has been raised that just two days before the occurrence, the petitioner had threatened the husband of the informant to kill him. It is also alleged that since long the husband of the informant had been strongly opposing the conduct of the petitioner, who is indulged in eve-



teasing; therefore he is the person who might have killed her husband.

4. Learned Advocate for the petitioner referring to the FIR contended that the entire case is based on suspicion only on account of the fact that earlier the petitioner had threatened the deceased with dire consequences. Neither there is any eye witness to the alleged occurrence nor any material collected during the course of investigation suggesting the complicity of the petitioner in the crime. It is not the case that the petitioner was lastly seen with the deceased or he was found nearby the place of occurrence. Be that as it may, the petitioner has been incarcerated since 25.04.2024 and now the investigation of the crime is complete and the charge sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the motive of the crime is writ large as earlier the deceased was objecting the misconduct of the petitioner and for this the petitioner had given a threatening to kill him.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case is based on suspicion and there is no other material suggesting the complicity of the petitioner in the crime, coupled with the



fair antecedent and completion of the investigation, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XI, Saran at Chapra in connection with Manjhi P.S. Case No. 324 of 2023, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

Anjani/-

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