

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65192 of 2024

Arising Out of PS. Case No.-518 Year-2021 Thana- BAGHA District- West Champaran

Sarvajit Chaudhary @ Satrajit Chaudhary son of Late Brahmdeo Chaudhary
Village -Paras Nagar PS- Chautarwa Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bagaha P.S. Case No. 518 of 2021 dated 05.10.2021 registered under sections 394, 395, 307, 326, 400 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, four miscreants boarded on two motorcycle stopped the vehicle of the informant. When the informant refused to open the door of the vehicle, one miscreant fired on them which hit below the elbow of the right hand of the informant's brother. The



miscreants then robbed their bag with Rs. 6,26,000/- cash, their laptop and mobile phones.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has eight criminal antecedents as stated in para 3 of the bail petition. The petitioner is not named in the FIR and the name of the petitioner has sprung up in the confessional statement of the co-accused Rajan Choudhary. No T.I.P. has been conducted by the prosecution. The other co-accused person has already been granted bail by this Court vide order dated 09.11.2022 passed in Cr. Misc. 26219 of 2022. The petitioner is in custody since 17.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 518 of 2021, with following conditions:-

(i) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(ii) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(iii) If the petitioner is found involved in any other criminal case in future, his bail bond is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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