

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78680 of 2023

Arising Out of PS. Case No.-806 Year-2022 Thana- ARA NAWADA District- Bhojpur

Bhola Chaudhary, S/O Late Rajendra Chaudhary, R/O Village- Gorhna, P.S-
Udawan Nagar, Distt.- Bhojpur (ARA).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Din Bandhu Singh
		Ms. Kumari Kiran
For the Opposite Party/s :		Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-06-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The learned counsel for the petitioner submits that
the Praveen Chaudhary had moved this Court seeking
anticipatory bail application by filing Cr. Misc. No.20741 of
2023 and the same was allowed by an order dated 26.06.2023. It
is further submitted that Praveen Chaudhary is named in the
F.I.R. whereas the present petitioner is not even named in the
F.I.R. and his name transpired during the course of



investigation. It is next submitted that informant is not an eye witness to the occurrence and he alleges that information was given to him by his cousin brother that the deceased was called by Praveen Chaudhary, Sunil Sah and one person residing at Jail Road from the house for drinking and under the influence of liquor, the deceased was killed. It is further submitted that Sunil Sah surrendered before the learned trial Court and after a full-fledged trial, he was acquitted as none of the prosecution witnesses supported the case of the prosecution. It is thus submitted that no useful purpose would be served by sending the petitioner to jail when he is not named in the F.I.R.

4. Learned A.P.P. submits that in the event, if anticipatory bail application is granted to the petitioner, the petitioner may abscond, on which the learned counsel for the petitioner submits that petitioner will not abscond rather will cooperate in the investigation.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned C.J.M., Bhojpur, Ara in connection with Nawada-Ara P. S. Case No.806 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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