

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75882 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- CHAORI District- Bhojpur

1. Prakash Chaudhary S/O Late Nirmal Chaudhary R/O Village- Pali, Police Station- Dehri-On-Sone, Distt.- Rohtas At Present Resident Of Village- Andhari, P.S- Chauri, Distt.- Bhojpur.
2. Rajesh Chaudhary S/O Gorakh Chaudhary R/O Village- Andhari, P.S- Chauri, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 29-02-2024 Heard the learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek regular bail in a case registered for the offence under Sections 302, 120B and Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners are accused of killing the deceased.

4. It has been submitted by the learned counsel for the petitioners that there is no eyewitness and the F.I.R has been registered after the contents of the post-mortem report became known to the informant. He further submits that except for suspicion, there is no material against the petitioners to connect



the petitioners with the crime. Petitioners are in custody since 21.06.2023 and have clean antecedent.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

7. Let the petitioners, above named, be released on bail *after framing of charge if the charge has not been farmed yet* and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Bhojpur at Ara/concerned Court below in connection with Chauri P.S. Case No. 48 of 2023 subject to condition that:-

7(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on absence on two consecutive dates without sufficient reason, the bail bond shall be cancelled by the Court below.

8. This application stands allowed.

(Sandeep Kumar, J)

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