

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81580 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- BANGARA District- Samastipur

Harindra Choudhary @ Harendra Chaudhari Son Of Late Jago Choudhary
R/O Vill - Mundipur, P.S. - N.H. Bangra, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
N.H. Bangra P.S. Case No.60 of 2023, lodged on 14.05.2023,
under Sections 302/379/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
three named and one unknown accused persons against whom
there is allegation that they in connivance with each other have
killed the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that upon bare reading of the FIR, it transpires that
informant is not the eyewitness; rather this case has been filed
only on the basis of suspicion. The petitioner is in custody since



25.08.2023 and is accused in one more criminal case, in which he is on bail. Counsel submits that case-diary has been received but no direct evidence has been found in the case-diary.

5. Upon the specific query of the Court that whether charges have been framed or not. Counsel for the petitioner submits that he is completely unaware about this fact that charges have been framed or not.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **two months after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Smt. Chanda Lal, learned Judicial Magistrate, 1st Class, Samastipur, in connection with N.H. Bangra P.S. Case No. 60 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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.

(Dr. Anshuman, J)

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