

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81186 of 2024

Arising Out of PS. Case No.-368 Year-2024 Thana- PAKARIBARAW District- Nawada

Sidhnath Chauhan @ Siddhanath Chauhan Son of Late Bundela Chauhan
Resident of Village- Madhurapur, P.S.- Pakaribarawan, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Man Mohan Kumar, Advocate
For the State	:	Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Pakaribarawan P.S. Case No. 368 of 2024 for the offences punishable under Sections 317(2), 303(2), 318(4), 111(3) and 111(4) of the Bharatiya Nyaya Sanhita and section 66(D) of the I.T. Act, lodged on 21.08.2024 by the informant, Ajay Kumar.

3. As per the prosecution story, the informant alleged that upon secret information during Bharat Band Call that this petitioner is cheating the innocent persons, the place was raided, there is recovery of Aadhar Cards, ATM as also Rs.2,500/- cash beside morotcycle. In absence of presentation papers, F.I.R. lodged and he was arrested.

4. Learned counsel for the petitioner submits that the cards belong to him and his wife and further no one has come



forward to make allegation but police only on the basis of suspicion made him an accused for which he is in custody since 22.08.2024 (paragraph no.4 of the petition).

5. Learned APP for the State opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties as also the fact that he is in custody since 22.08.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nawada in connection with Pakaribarawan P.S. Case No. 368 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 bail bonds.

(Rajiv Roy, J)

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