

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78044 of 2025

Arising Out of PS. Case No.-187 Year-2020 Thana- CHAKAND District- Gaya

Basu Chaudhary @ Basudeo Chaudhary S/o Sheonath Chaudhary R/o
Village- Barki Takiya, P.S.- Chakand, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Learned counsel for the petitioner is permitted to

make necessary correction in paragraph-1 of the bail application.

2. Heard Mr. Sunil Kumar Yadav, learned counsel for
the petitioner as well as Mr. Ashok Kumar Singh, learned
Additional Public Prosecutor for the State.

3. Petitioner seeks bail who is in custody since
02.11.2023 in connection with Chakand P.S. Case No. 187 of
2020, F.I.R. dated 10.12.2020 for the offences punishable under
Sections 302/34 of the Indian Penal Code.

4. According to prosecution case, it is alleged that the
petitioner along with other co-accused persons killed the brother
of the informant and threw his dead body under bush.

5. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation levelled against



the petitioner is false and fabricated. From bare perusal of the FIR it appears that petitioner has been made accused merely on the basis of suspicion and there is no specific allegation of assault or overt act or firing against him rather there is general and omnibus against the petitioner and similarly situated co-accused persons, namely, Jiyant Chaudhary @ Jaimant Chaudhary and Prem Kumar @ Prem Chaudhary have been granted the privilege of regular bail by the co-ordinate Bench of this Court vide order dated 27.04.2023 and 26.04.2024 in Cr. Misc. No. 71372 of 2022 and Cr. Misc. No. 28441 of 2024. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 02.11.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is no specific allegation of assault or overt act or firing against him and similarly situated co-accused persons have been granted the privilege of regular bail by the co-ordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-XI, Gaya in connection with Chakand P.S. Case
No. 187 of 2020, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

