

IN THE COURT OF ADDITIONAL SESSIONS JUDGE -II, ROSERA SAMASTIPUR
S.T. No. 353 /2006
(Arising out of Rosera P.S. Case No. 57/2003 u/s 302, 201/34 I.P.C)

IN THE MATTER OF

1. Raju Choudhary

Charge Sheet U/s 302, 201/34 I.P.C
Accused in Custody 29.09.2020

R/o – Village-Pansalla, Tole-Saunt, P.S. Khodawandpur, District, Begusarai

..... Accused/Petitioner

versus

State of Bihar

..... Opposite Party

Counsel for the petitioner : Sri, Amrendra Kumar Singh Ld. Advocate

Counsel for the State : Sri, Ram Kumar Ld. A.P.P.

Date of Hearing/Disposal : 10.11.2020

Present : RAJIV RANJAN SAHAY

Additional Sessions Judge-II

ORDER

The present bail petition filed on behalf of above mentioned accused/petitioners Pankaj Paswan who is in judicial custody since 29.09.2020 u/s 302,201/34 IPC, arising out of Rosera P.S. Case No. 57/2003 .

It has been further submitted that the petitioner is innocent and has committed no offence. It has been further submitted that no such type of bail petition was ever filed or pending in your honour's court or in the Hon'ble High Court. It has been further submitted that the petitioner was on bail. It has been further submitted that on 06.12.2019 one witness was in attendance and no parivi was done on behalf of the petitioner and your honour was pleased to cancelled the bail bond of the petitioner. It has been further submitted that on 17.01.2020 NBW was issued against the petitioner and on the basis of NBW the police arrested and forwarded in this case on 29.09.2020. It has been further submitted that the petitioner is rotting into custody since 29.09.2020. It has been further submitted that as a matter fact that the working Munshi has left the pairvi of the petitioner due to misunderstanding of date. It has been further submitted that the petitioner has not

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misused the privilege of bail knowingly or intentionally. It has been further submitted that such mistake would be never repeated in future. It has been further submitted that men of means are ready to stand as bailors. It has been further submitted that there is no chance of absconding and tempering with the evidence. It is thus prayed to enlarge the petitioner on bail.

Ld. A.P.P opposed the prayer of bail petitioner.

From perusal of case record, I find that the accused has been granted bail on by Hon'ble High Court, Patna. The case record is in the stage of prosecution Evidence. On 06.12.2013 one witness has filed attendance but but the accused had not made any pairvi. So, his bail/bond was cancelled and N.B.W. was issued against him on 17.01.2020 and he was remanded in this case. The petitioner is in custody since 29.09.2020. There was misuse of bail.

In view of aforesaid facts and circumstances the bail of petitioner is allowed by furnishing bail bond of Rs- 10,000/- with two sureties of like amount with further conditions that he shall pay Rs- 500/- as cost a witness to be deposited by the petitioner . Further he shall be physically present/ well represented on the date fixed till disposal of case.

(RAJIV RANJAN SAHAY)
ADDITIONAL SESSIONS JUDGE -II
ROSERA, SAMASTIPUR
DATED:- 10.11.2020