

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8028 of 2015

Arising Out of PS.Case No. -135 Year- 2004 Thana -PATNA CITY CHOWK District- PATNA

1. Sunil Choudhary S/o Late Sundar Choudhary Resident of Mohalla Aga Husain Ka Chauraha, P.S. Chowk, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate.

For the Opposite Party/s : Mr. T.N.Thakur(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-03-2015 Heard both sides.

The petitioner seeks bail in Sessions Trial No. 982 of 2014, arising out of Chowk P.S. Case No. 135 of 2004, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that Prem Sahni, Sunil Chaudhary the petitioner, Pawan Mahto and Pramod Kumar was passing through and they were having altercations for partition of booty. It is alleged that Sunil Chaudhary and Pramod Kumar caught the deceased and Prem Sahni fired 3-4 rounds and thereafter the deceased died.

Learned counsel for the petitioner submits that allegation is of firing is against Prem Sahni. The petitioner is in

jail since 23.11.2013. The petitioner has already remained in jail for one year and five months.

Having considered the facts aforesaid and the fact that the only allegation against the petitioner that he caught hold the deceased, thereafter Prem Sahni fired and for that the petitioner has remained in jail for more than one year and five months, he above named is directed to be enlarged 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-V, Patna City in connection with Sessions Trial No. 982 of 2014, arising out of Chowk P.S. Case No. 135 of 2004.

(Prabhat Kumar Jha, J.)

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