

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34219 of 2016

Arising Out of PS.Case No. -24 Year- 2009 Thana -SAMHO District- BEGUSARAI

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1. Tuntun Choudhary S/o Dhanik Choudhary Resident of Village- Samho,
Akbarpur, P.S.- Samho, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 07-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 18.12.2013 in a case initially registered under section 364/34 of the Indian Penal Code against the petitioner and some others. Subsequently, after recovery of dead body of victim, section 302, 201 of the Indian Penal Code and 27 of the Arms Act were added.

It is alleged that petitioner and other F.I.R named accused took the deceased forcibly and, later on, his dead body ridden with bullets was recovered. The alleged occurrence is said to be institution of previous case against the accused persons.

Submission on behalf of the petitioner is that general and omnibus allegation have been leveled against the



petitioner and other co-accused and having more or less similar allegation, co-accused Balram Choudhary, Ram Shankar Singh, Upendra Choudhary and Jai Kishore Choudhary, have already been granted privilege of bail by different Benches of this Court.

The learned trial court has reported that the case of this petitioner has been committed to the court of sessions on 16.11.2016.

No doubt, petitioner carries criminal antecedent of some cases but considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Samho P.S.Case No. 24 of 2009.

(Hemant Kumar Srivastava, J)

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