

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35061 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -KORANSARAI District- BUXAR

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Ram Bihari Choudhary son of Late Banshi Choudhary, resident of Village-
Baruhan, P.S- Bagen Gola, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anit Kumar Singh, Advocate
For the State : Mr. Ashok Kumar Singh, APP
For the Informant : Mr. Rohit Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-10-2016 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 302, 307 and 326 of the I.P.C. and
Section 27 of the Arms Act.

The prosecution story, in brief, is that on the alleged
date and time of occurrence the informant with his brother Millu
Choudhary and other persons were going to attend a Barat party
on Scorpio vehicle, one Bolero vehicle stopped in front of them
and the persons riding having lethal weapon started indiscriminate
firing, due to which driver Sanjay Kumar became injured and lost
balance of vehicle. In the meantime co-accused Harendra
Choudhary and Mantu Yadav started indiscriminate firing upon



Millu Choudhary, which hit his chest, stomach and neck and co-accused Lalbabu Choudhary and the petitioner and 3-4 unknown persons surrounded the vehicle of the informant and co-accused Lalbabu Choudahry fired upon the informant with intention to kill him and the accused persons including the petitioner after seeing other vehicle of Barat party fled away and injured were brought to Hospital, where his brother Millu Choudhary was declared dead.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 8.5.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. Specific allegation has been made against co-accused, namely, Harendra Choudhary and Mantu Yadav of firing upon the deceased and Lalbabu Choudhary firing upon the informant.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, it is directed that 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 learned

Chief Judicial Magistrate, Buxar in connection with Koransarai
P.S. case No.29 of 2016 (G.R. No.959 of 2016).

(Sudhir Singh, J)

Narendra/-

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