

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35544 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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1. Sonu Choudhary, son of Rama Tapasya Choudhary, resident of Village-Balaur, P.S.- Udwantnagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 04.02.2017 in connection with Udwant Nagar P.S. Case No. 196/16 for offences punishable under Sections 302/120-B of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that while she was canvassing along with her bhainsur Hemant Choudhary and other persons for contesting Belaur Panchayat election for the post of Mukhiya, the other side led by Manju Devi asked her to leave the contest and on verbal altercation one Dipu Choudhary fired on the chest of Hemant Choudhary and allegation upon the petitioner is of firing, which hit the hand of



the deceased.

It has been submitted by the learned counsel for the petitioner that he is innocent, the main allegation is upon Dipu Choudhary, who gave gun shot injury on the chest of the deceased and the injury alleged to have been caused by the petitioner is on the hand, which is not on the vital part of the body. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udwant Nagar P.S. Case No. 196/16, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will



appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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