

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37600 of 2018

Arising Out of PS.Case No. -41 Year- 2016 Thana -PAWNA District- BHOJPUR

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Vikash Choudhary @ Vikash Kumar Choudhary, S/o Shri Ram Choudhary,
R/o Vill.- Maniach, P.S.- Pawana, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP-224

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 342 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

There is general and omnibus allegation against the F.I.R. named accused persons, including the petitioner to have dragged the deceased inside the house.

Specific allegation against the petitioner and co-accused, Shriram Choudhary is of firing from their pistols. Others allegedly assaulted with their weapons of stabbing and cutting. The Doctor has not found fire arm injury on the person of the deceased. Similar situated co-accused Shriram Choudhary has already been allowed bail by co-ordinate Bench of this Court vide Annexure-3.



Submission of the learned counsel for the informant is that the case of the petitioner is distinguishable from that of Shriram Choudhary, for the reason that the petitioner was absconding since long. When trial is at the fag end, the petitioner surrendered only on 19.02.2018.

Considering the merit of the case, especially the fact that no fire arm injury was found by the Doctor on the person of the deceased, let the petitioner, above named, be released on bail *after framing of the charge, which must be framed within one month from the date of receipt of a copy of this order*, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pawana Police Station Case No.41 of 2016, subject to the condition that both the bailors shall be resident of the territorial jurisdiction of the court below and the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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