

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57375 of 2018

Arising Out of PS. Case No.-119 Year-2018 Thana- BANMANKHI District- Purnia

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Dheeraj Choudhary @ Dharendra Kumar Dhir S/o Mahendra Prasad
Choudhary @ Mahendra Choudhary, resident of Village- Mohalla- Rajhat,
Ward No. 14, P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Banmankhi P.S. Case No. 119 of 2018
registered for the offence punishable under Sections
302/120(B) 120B of the Indian Penal Code and Section 27 of
Arms Act.

FIR was lodged against unknown persons. Informant
has alleged in the FIR that she heard sound of firing and when
she went towards bamboo bush (basbitta), she found a person
lying on the ground. When she reached near that place, she
found that the person was her husband Om Prakash
Choudhary. Thereafter he was taken to Sadar Hospital, where



he was declared brought dead.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that during the course of investigation, police has recorded re-statement of informant in which she has stated that there has been a land dispute between the informant and one Preetam Choudhary and her Gotani Usha Devi and due to this reason Preetam Choudhary whose conduct is a criminal nature and has a contact with the veteran criminal and gave threatening to kill her husband. Petitioner had no concern and there was no dispute between the petitioner and deceased. Co-accused, namely, Pritam Kumar Choudhary and Usha Devi have been granted bail by a co-ordinate Bench of this Court passed in Cr. Misc. No. 57750 of 2018 and Cr. Misc. No. 57383 of 2018 vide order dated 20.09.2018 respectively. Petitioner has no criminal antecedent and he is in custody since 03.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate 1st, Purnea, in
connection with Banmankhi P.S. Case No. 119 of 2018.

(S. Kumar, J)

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