

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39477 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- PHULWARI District- Patna

Shankar Chaudhary, son of Sri Gorakh Chaudhary, resident of village- Birla Colony, Dagarpur, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha
For the Opposite Party/s : Mr. Sri Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 31-07-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Phulwarisharif P.S.Case No. 29 of 2018 registered under Sections 320 and 120B/34 of the Indian penal Code and 27 of the Arms Act.

Allegation in brief is that informant's son while returning back to home after closing his shop intercepted on the way by the miscreants including the petitioner and as per allegation, Ajay Shastri and Deepak Mahto shot at him causing his death. It is alleged that for extortion, said offence was committed.

Learned counsel for the petitioner seeks bail of the petitioner on the ground of parity as other co-accused Randhir Kumar and Binod Nonia, who were members but having no specific overt act of opening fire, have been admitted to bail by



different co-ordinate Benches of this Court vide Cr. Misc. No. 36635 of 2018 and Cr. Misc. No. 37087 of 2018. Further, it is submitted that other co-accused granted bail too have criminal antecedent and this petitioner has also one case against him under Arms Act.

Having considered the aforesaid facts and circumstances, the petitioner, namely, Shankar Chaudhary, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM-XV, Patna in connection with Phulwarisharif P.S. Case No. 29 of 2018 with condition that one of the bailor must be his close family member. Petitioner shall remain physically present on each and every date during trial and in case of failure on two consecutive dates without any reasonable cause, his bail bond shall be liable to be cancelled.

(Arun Kumar, J)

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