

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12622 of 2019

Arising Out of PS. Case No.-360 Year-2018 Thana- PHULWARISHARIF District- Patna

Shekhar Choudhary @ Shekhar Kumar, Son of Sri Bishundeo Choudhary @ Vishnudeo Choudhary, R/o Ranipur Mode Potheya Bazar P.S.-Phulwarisharif, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak, Adv

For the Opposite Party/s : Mr.Mithlesh Kumar Khare,APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-05-2019 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 302, 120(B)/34 of the Indian Penal Code and 27 of the Arms Act.

One Shatrughan Chouhan reported to the informant that this petitioner had committed murder of the son of the informant. Land dispute is reason behind the occurrence.

Submission is that investigation is already complete and the case diary would reveal that Shatrughan Chouhan was not examined by the police. Petitioner is in custody since 25.06.2018.

Considering the fact that there is no direct



evidence against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 S.Tr.No.657 of 2018 arising out of Phulwarisharif Police Station Case No.360 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Let the Superintendent of Police, Patna take appropriate action against the Investigating Officer of Phulwarisharif P.S.Case No.360 of 2018 for his inaction in not examining the important witness of the case.

The Superintendent of Police, Patna shall inform this Court about action taken.

Let a copy of this order be sent to the Senior Superintendent of Police, Patna.

(Birendra Kumar, J)

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