

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35648 of 2019

Arising Out of PS. Case No.-657 Year-2018 Thana- KAHALGAON District- Bhagalpur

PANKAJ CHOUDHARY Son of Late Chittan Choudhary Resident of Village-
Shantinagar, P.S.-Sabour, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2019

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Kahalgaon**
(Shivnarayanpur) P.S. Case No. 657 of 2018, instituted for the
offence under Section(s) 302 and 201 of Indian Penal Code.

It is alleged in the written report that brother of the
informant namely, Sunil Ram was called by the petitioner. Thereafter,
the brother of the informant along with petitioner had gone by Tempo
for carrying saplings of Mango Plants and did not return. The phone
was found switched off. The informant went to house of petitioner,
but he was not present in the house. Later on the informant got
information that dead body of his brother Sunil Ram was lying in a
tempo near N.H. 80. The informant went there and identified the
dead-body of his brother. He raised suspicion against the petitioner.

The Sessions Judge has mentioned in the impugned
order that during investigation, Police arrested the petitioner and



recorded his confessional statement.

Counsel for the petitioner submits that besides confessional statement of petitioner there is no evidence alleging any overt act against the petitioner. He further submits that co-accused Raju Choudhary @ Rajendra Choudhary has already been granted bail by coordinate Bench of this Court vide order dated 3.6.2019 passed in Cr. Misc. 19354 of 2019.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released 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, Bhagalpur**, in connection with **Kahalgaon (Shivnarayanpur) P.S. Case No. 657 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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