

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38350 of 2019**

Arising Out of PS. Case No.-314 Year-2017 Thana- UDWANTNAGAR District- Bhojpur

RANJEET CHOUDHRY Son of Late Ramadhar Choudhary Resident of
Village-Belaur, P.S.-Udwanthnagar, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the Indian Penal Code and
27 of the Arms Act.

The prosecution case in short is that the accused
persons opened fire at the brother of the informant due to which
he sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 13.2.2019. There is no
allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in the present case.
The petitioner has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. As per F.I.R., co-



accused namely Pawan Choudhary, Rahul Choudhary and Santosh Choudhary along with one unknown are alleged to have fired upon the deceased. The informant is an eye witness to the occurrence. He has not named the petitioner in the F.I.R. The name of the petitioner has transpired in course of investigation merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwantnagar P.S. Case No. 314 of 2017.

(Sudhir Singh, J)

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