

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58284 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Lalan Chaudhary, Son of Naresh Chaudhary, Resident of Village- Jethui, P.S.-
Industrial Area, Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mauli Chaurasia
For the Opposite Party/s : Mr.Veena Rani Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Industrial Area P.S. Case No. 193 of 2018, registered under
Section 302/34 of the Indian Penal Code and Section 27 of the
Arms Act, pending in the court of S.D.J.M., Vaishali at Hajipur.

The accusation is that on 07.11.2018, at about 11.30
P.M., the informant, Amrendra Choudhary, along with his
younger brother, Ramkesh Choudhary was going to his Bathan.
At that time, five persons named in the F.I.R. including the
petitioner came near him and started to abuse. When Ramkesh
Choudhary, made protest then Dharamnath Choudhary and
Bullet Choudhary caught his brother whereas Rahul Choudahry



and Rakesh Choudhary caught hold the informant. In the meantime, Lalan Choudhary (petitioner) having country made pistol fired at the head of his brother, Ramkesh Choudahry, in which, his brother died on the spot.

Learned counsel for the petitioner submits the postmortem report does not corroborate the allegation, as made in the F.I.R., against the petitioner.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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