

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.154 of 2020

Arising Out of PS. Case No.-115 Year-2017 Thana- CHANDI District- Bhojpur

MUNNA CHAUDHARY Son of Radha Govind Chaudhary Resident of
Village- Belaur, P.S.- Udwanthnagar in the District of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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

ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Chandi P.S. Case No. 115 of 2017, registered under Section
302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The accusation is that Prithvi Sharma, father of
the informant Anand Kumar Sharma, was going to his house
on bicycle from Lodipur, Pokhara and when he reached near
the house of Shivkumar Singh then Abhishek Kumar and Niraj
Kumar shot fire at him. At that time, Anil Kumar Singh,
Dharmendra Kumar, Suraj Kumar Singh and Upendra Singh
were also present there, who ordered and instigated to kill his
father. At that time, informant along with Lal Narayan Sharma,



Laljee Rai, cousin of the informant, were going to house on motorcycle also reached 30 feet away to the place of occurrence then on seeing the informant and others, they also asked to kill, thereafter, informant and others fled away from there.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that informant and some others are eye-witnesses of the occurrence, but the name of the petitioner has not been disclosed by the informant. In course of investigation one Pawan Kumar @ Pawan Kumar Chaudhary was apprehended in connection with Udwant Nagar P.S. Case No. 121 of 2018 in which he confessed his guilt having hand in the present case disclosing the name of petitioner. Further submission is that, in fact, petitioner is accused in Sahar P.S. Case No. 124 of 2007 due to that reasons, the Police got implicated the petitioner in the present case showing his name in the confessional statement of co-accused Pawan Kumar, who is not named in the F.I.R. The petitioner is in custody since 03.10.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-XII, Bhojpur at Ara in connection with Chandi P.S. Case No. 115 of 2017.

(Rajendra Kumar Mishra, J)

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