

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19438 of 2020

Arising Out of PS. Case No.-173 Year-2018 Thana- KARJA District- Muzaffarpur

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Miritunay Chaudhary @ Mritunjay Choudhary @ Mritunjay Kumar, son of
Kishori Choudhary @ Ram Kishor Choudhary, resident of Village-Dhanaur,
P.S. Katra, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-09-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with
Karja Police Station Case No. 173 of 2018, registered for the
offence punishable under Sections 399/402/414/279/427 of the
Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report lodged by the Station House Officer, Kajra
Police Station, is that the police got information that some
persons were preparing to commit dacoity near Pakri Pakohi
canal bridge in village Pakri and the police arrived at the place
of occurrence and arrested two persons, namely, Mukund



Kumar and Aditya Kumar, who disclosed the name of the other co-accused persons, including the petitioner. The police recovered arms and ammunition from the possession of the arrested co-accused persons.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the petitioner has been made accused on the basis of confessional statement made by the arrested co-accused persons. He further submits that no incriminating material has been recovered from the possession of the petitioner and the petitioner has been remanded in this case from Kajra Police Station Case No. 110 of 2019. He also submits that the arrested co-accused persons, namely Mukund Kumar and Aditya Kumar, have been granted bail by the learned Court below itself.

After having heard learned Counsel for the parties and taking into consideration the fact that the co-accused persons, on whose confessional statements, the petitioner has been made accused in this case, have been granted bail by learned Court below itself, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II (West), Muzaffarpur, in connection with Karja Police Station Case No. 173 of 2018.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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