

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65997 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- BATH District- Bhagalpur

Rajiv Choudhary @ Rajiv Kumar Choudhary, S/o Binay Choudhary @ Binay Kumar Choudhary, R/o village- Sahdeopur, P.S.- Sambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 17-02-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Bath P.S.
Case No. 16 of 2019, registered under Sections 302 and 201 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that informant, Ranjana Devi, used to
reside at village Asarganj for the purpose of study of her children. On
08.04.2019, at about 10 P.M., her husband proceeded from his native
village to Asarganj boarding on motorcycle but her husband did not
reach. When she tried to contract her husband on mobile but his
mobile was found switch off. Thereafter, she informed to her nephew
about her husband then on search, the motorcycle of her husband was
found parked on the road and the dead body of her husband was
lying in the bush sustaining firearm injury at his temporal. The



informant alleged that before three years her husband had taken Rs.6,00,000/- from Murlidhar Jha on the occasion of marriage of his niece and when her husband went to the house of Murlidhar Jha to return the aforesaid money, Murlidhar Jha did not take the money and demanded to execute the sale deed.

Learned counsel for the petitioner submits that petitioner is not named in the FIR but in course of investigation, petitioner was apprehended by the police mere on suspicion and the police got recorded his confessional statement showing him as conspirator of murder of husband of the informant. It is further submitted that petitioner has no criminal antecedent and is in custody since 04.05.2019 and the charge sheet has already been submitted against him.

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 learned A.C.J.M.-XIII, Bhagalpur, in connection with Bath P.S. Case No. 16 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

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(Rajendra Kumar Mishra, J)

