

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5315 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

Rajesh Kumar @ Rakesh Kumar Son of Ganesh Chaudhary Resident of
Village- Shakrullah Chak, P.S.- Mojahidpur (Babarganj), District- Bhagalpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajive Ranjan Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 05-10-2020 Heard learned counsel for the appellant and the
counsel appearing on behalf of the State.

In this case, diary was called for vide order dated
17.2.2020.

Learned counsel for the appellant submits that in the
instant case the allegation of firing is against Sudhir Choudhary.
There is allegation of firing against this appellant as well but
from the FIR itself it is evident that the firing attributed to the
appellant has not caused any fatal injury and the firing of Sudhir
Choudhary was proved fatal and Dinesh Choudhary succumbed
to the firearm injury caused by Sudhir Choudhary.

Learned counsel submits that the appellant has no
criminal antecedent.

In the instant case other co-accused have been granted



bail by this court.

Considering the fact that the appellant has no criminal antecedent and also the fact that other co-accused have been granted bail, the Court is inclined to grant bail to the appellant, let the appellant, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned III Additional District and Sessions Judge cum Special Judge, SC./ST Act, Bhagalpur, in connection with Mojahidpur (Bararganj) P.S. Case No. 195 of 2019.

It is made clear that the appellant shall extend full cooperation in early conclusion of the trial and in the event, the appellant is found indulged in delaying the trial or pressuring the witnesses in this case, the court below shall be at liberty to cancel the bail bonds of the appellant.

(Anil Kumar Upadhyay, J)

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