

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85177 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- RASULPUR District- Saran

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HARIBHUAN CHOUDHARY @ HARI BHUWAN CHAUDHARI Son of
Late Ram Lakhan Choudhary Resident of Village- Salempur, P.S.- Manghi,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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

ORAL ORDER

2 10-01-2020

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Rasulpur
P.S. Case No. 146 of 2019, registered under Sections 399, 402
and 419 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the
Arms Act.

The accusation is that on receiving secret information
about gathering of miscreants at Chapraisi Dam for preparation
of committing dacoity, the informant, along with other police
personnel, who were on patrolling duty, proceeded for there. On
seeing the police party, persons present there started to flee
away, but, on chase Haribhuan Choudhary (petitioner), Mintu
Kumar, Raushan Kumar Ojha and Anuj Kumar Singh were
apprehended, who also disclosed the name of his associate,
succeeded to flee away as Abhishek Singh @ Tufani Singh. On
search, petitioner was found with cash of Rs.20/-, one mobile and



one tab, Mintu Kumar was found in possession of one country made pistol and one live cartridge, Raushan Kumar Ojha was found in possession of one loaded country made pistol and Anup Kumar was found in possession of one mobile set.

Submission is that petitioner has no criminal antecedent and no incriminating article has been recovered from the possession of the petitioner. The cash, mobile set and tap said to be recovered from the possession of the petitioner are belonging to the petitioner. The petitioner is in custody since 30.09.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Rasulpur P.S. Case No. 146 of 2019 to the satisfaction of the Additional Chief Judicial Magistrate, XI, Saran at Chapra.

(Rajendra Kumar Mishra, J)

Shamshad/-

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