

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35558 of 2021**

Arising Out of PS. Case No.-196 Year-2020 Thana- VIDYAPATINAGAR District-
Samastipur

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Raman Kumar Chaudhary @ Raman Kumar Choudhary @ Raman Kumar
Son Of Pawan Kumar Choudhary R/O Village- Sherpur, P.S.- Vidyapati
Nagar (INCORRECTLY Mentioned In The Impugned Order As P.S.-
Vidyapati), District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence under Section 27 of the Arms Act and
Sections 120-B, 302 and 34 of the Indian Penal Code.

As per the prosecution case, on 15.12.2020 at about 8:00
PM, all the FIR named accused persons, including this
petitioner, surrounded son of the informant and on the
instigation of co-accused Arbind Kr.Chaudhary, co-accused
Suman Kumar Choudhary @ Chhabban Choudhary fired upon
the son of informant and thereafter, it is alleged that another
co-accused Golu Choudhary also fired on the son of informant
and thereafter, all the accused persons fled away from the place



of occurrence and the son of the informant succumbed to the injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Specific allegation of assault and firing is against other accused persons. He was simply a member of the unlawful assembly. Petitioner has claimed clean antecedent and he is in custody since 19.1.2021. Similarly situated co-accused has already been allowed bail by this Court vide order passed in Cr.Misc.No. 30167/2021.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, be enlarged on bail on 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, Dalsinghsarai, District - Samastipur in connection with Vidyapati Nagar P.S. Case No. 196 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the



Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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