

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29286 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- KHAGARIA District- Khagaria

Sanatan Choudhary @ Sanat Kumar aged about 32 years Son of Mahesh Choudhary Resident of Village- Rahimpur, P.O.- Rahimpur, P.S.- Mufassil Khagaria, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr.Kalyan Shankar, Advocate
For the State	:	Dr. (Mrs.) Indihar Kumari, Addl Public Prosecutor
For the Informant	:	Mr. Ranjeet Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-02-2021 Heard learned counsel for the petitioner, the State and informant.

Petitioner apprehends arrest in Khagaria (Mufassil) Police Station Case No. 23 of 2020 registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code and under section 27 of the Arms Act.

As per the prosecution case, petitioner and other accused persons came to the house of the informant and started abusing him and on protest petitioner ordered other co-accused persons to kill him. Thereafter, co-accused Saroj Choudhary fired on him as a result of which he sustained fire arm injury in his abdomen.

Learned counsel for the petitioner submits that there is case and counter case and admittedly there is a land dispute



between the parties. Petitioner also sustained injuries.

Informant and the State oppose the prayer for bail and submit that there is specific allegation against the petitioner that on his instigation, co-accused fired on the informant causing fire arm injury in his abdomen. Petitioner bears criminal antecedent and seven criminal cases are pending against him as per paragraph 3 of the supplementary affidavit.

Considering the specific allegation against the petitioner as well as his criminal antecedent, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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