

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 29074 of 2020**

Arising Out of PS. Case No.-216 Year-2020 Thana- KHAJANCHI HAT District- Purnia

SHUBHAM CHOUDHARY S/o Sanjeev Choudhary Resident of Village-
Petrol Pump Maranga, P.S.-K.Hat Maranga, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Amit Kumar Anand, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 12-03-2021 Petitioner has filed a supplementary affidavit pursuant to the last order giving an undertaking to furnish duly sworn affidavit, required Court fee and other requirements, when called upon to do so.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Khazanchi Hat (Maranga) Police Station (for brevity *PS*) Case No 216 of 2020 instituted for the offence punishable under Sections 447, 341, 323, 307, 506/34 of Indian Penal Code.

Informant has allegedly refused to go with the petitioner for repairing a car. On becoming infuriated, the petitioner has allegedly taken a pistol from his waist and fired upon the informant. The petitioner, thereafter has chased the informant while firing upon him. Threats have allegedly been meted out by the petitioner to the informant nearly 15 to 20 days back.



This Court had called for a clear and legible copy of the case diary. The same has been received.

Petitioner's counsel submits that it is a case of false implication. Nothing has been recovered from the petitioner's possession. The petitioner's confessional statement has been recorded during the course of investigation which has no evidentiary value. The alleged firearm injury has been sustained on the thigh which is a non-vital part of the body. Petitioner is in custody since 02.05.2020.

Learned APP for the State has referred to the case diary and the injury report. It has been stated that more than one bullet injury, caused by gunshot has been found on the informant. The petitioner also has an antecedent in Khazanchi Hat PS Case No 628 of 2018 in which he is on bail. The specific firearm assault, attributed to the petitioner, has been corroborated by the injury report.

Having regard to the submissions advanced by the parties, this Court, for the present, is not inclined to grant bail to the petitioner. Prayer is rejected.

(Madhuresh Prasad, J)

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