

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33253 of 2020

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

MAHESH CHOUDHARY S/o Late Nand Kishor Choudhary R/o Vill-
Rahimpur, P.S.-Mufassil Thana, P.O.-Rahimpur, District-Khagaria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kalyan Shankar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2021 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Supplementary affidavit has been filed on behalf of the petitioner. Same be kept on the record.

Further the learned counsel for the petitioner is permitted to make necessary correction in paragraphs 1 and 3 of the main application in the light of the statement made in the supplementary affidavit.

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

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that the accused persons including the



petitioner caught hold of the informant and co-accused Saroj Choudhary alias Madhu Choudhary fired upon the informant causing injury in his abdomen, due to which he fell down and blood started oozing.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The allegation of firing is against the co-accused Saroj Choudhary alias Madhu Choudhary. So far the petitioner is concerned, there is no allegation of firing alleged against him.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Mufassil) P.S. case No.23 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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