

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39927 of 2020

Arising Out of PS. Case No.-109 Year-2020 Thana- NAUGACHIA District- Bhagalpur

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ASHUTOSH CHOUDHARY, S/o Ratan Choudhary, R/o village- Tetri, P.S.-
Naugachia, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar
For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Prosecution case in brief is that on 28.03.2020 in the
day his son has been called on phone by accused persons, when
his son went Rajendra Colony Bharat Paswan fired upon him. It
is stated that due to firing of informant got badly injured and
taken to hospital for treatment and during treatment died.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. There is specific allegation against the co-accused namely Bharat Paswan fired upon deceased and he became injured during treatment he died. There is general and omnibus allegation against the petitioner. The petitioner is languishing in custody since 01.04.2020.

Learned APP for the State opposed the bail petition.

Considering the aforesaid facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail **after framing of the charge** on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Naugachia (Bhagalpur) in connection with Naugachia P. S. Case No.109/2019.

(Anjani Kumar Sharan, J)

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