

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71067 of 2021**

Arising Out of PS. Case No.-96 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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SANJAY CHOUDHARY S/O DHARMNATH CHOUDHARY R/o village-
Hasanpur Bagar, P.S.- Naokothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 28-04-2022 Heard learned counsel for the petitioner and the

State.

The petitioner seeks regular bail in registered for the
offences punishable under section 302 and other allied sections
of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 14.7.2021 at about 11
pm informant's brother went to the roof for sleeping. While
sleeping, at about 1 am the informant heard sound of gun firing



and when he went towards the roof, he saw this petitioner and co-accused Ram Pravesh Sahni and 3 to 4 other accused unknown persons were fleeing away from the place of occurrence. Informant found his brother was lying in the pool of blood. However, injured died on way to the hospital. It is further alleged that earlier also this petitioner used to demand ransom and when same was refused, he had threatened the deceased of dire consequences. He had also fired on the deceased but fortunately he did not receive any fire arm injury in the said incident.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to suspicion and previous enmity. Informant as well as other witnesses have not seen the occurrence. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 19.8.2021.

Learned counsel for the State opposes the prayer for bail and submits that there is direct and specific allegation against the petitioner to commit murder of the brother of the informant and ample evidence has also been collected during course of investigation against the petitioner.

Considering the nature of accusation and materials



surfaced against the petitioner during course of investigation,
his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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