

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19640 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Magea Choudhary @ Amarjit Choudhary Son Of Ashok Kumar Choudhary
R/O- Vilage- Mathurapur Post- Ashin Chak P.S.- Dalsingsarai District-
Samastipur, (Bihar), 848114

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bibhutipur P.S. Case no. 57 of 2021 instituted for the offence under Sections 365, 363 of the Indian Penal Code and section 302 of I.P.C. was further added.

As per allegation in FIR, the petitioner returned from Saraswati Puja Mela at night on 18.02.2021 with the deceased but after inquired about the deceased who had not reached yet home, he refused to answer.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no specific material against the petitioner for participating in this case



and no other witnesses stated about the complicity of this petitioner. It is further submitted that the Postmortem Report shows that the cause of death was due to haemorrhagic and neurogenic shock which is mentioned in vide para 93 of case diary. As a result of above mentioned injuries caused by heavy hard and blunt substance compatible with road traffic accident. He has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bibhutipur P.S. Case no. 57 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Rosera, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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