

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38393 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- SARMERA District- Nalanda

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RUPCHARAN CHAUDHARY @ RUPCHAND CHAUDHARY Son of
Baleshwar Chaudhary Resident of Village and Police Station - Sarmera,
District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 307, 341,
324 and 34 of the Indian Penal Code and section 27 of the Arms
Act.

As per the prosecution case, three named accused
persons including the petitioner herein and three others
surrounded Kundan Kumar and Vikash Kumar. Thereafter it is
stated that Anil Chaudhary shot Kundan Kumar in his chest and
assaulted Vikash Kumar with a knife.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case



because of earlier litigation between the parties which is evident from Annexure-2 to this petition. No overt act has been alleged against this petitioner who is in custody since 18.1.2021. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegations in the F.I.R. and the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sarmera P.S. Case no.72 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif.

(Partha Sarthy, J)

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