

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32312 of 2022

Arising Out of PS. Case No.-298 Year-2021 Thana- NAWANAGAR District- Buxar

**BIRU CHOUDHARY @ BIMLESH KUMAR SON OF LATE RAM
RAHASYA CHOUDHARY R/O VILLAGE- GANGATI, P.O.- KOATH, P.S.-
DAWATH, DISTRICT- ROHTAS**

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.K.Shahi, Sr. Adv. Mr. Sanjay Kumar
For the Opposite Party/s	:	Ms. Anita Kumari Singh Mr. Ravi Shankar Pathak

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-11-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 302/120(B) of the Indian Penal Code.

As per the prosecution case, on 03.08.2021 at around 11 O'clock (night), seven FIR named accused persons including this petitioner took the informant's son and thereafter, dead-body of his son was found near the pond of Tej Narayan Yadav.

It is submitted on behalf of petitioner that after seeing the dead-body of his son, informant went to police station and gave oral information to police, but did not disclose the name of any accused persons and after cremation of dead-body, on 05.08.2021 the informant lodged present F.I.R. It is further submitted that petitioner has been falsely implicated in this case due to political rivalry. Petitioner happens to be associate of



Chairman of Nagar Panchayat, Koath and has been objecting to the omission and commission of the informant, for which, he has been falsely implicated in this case. Police after investigation submitted final form against petitioner.

Learned counsel for the informant vehemently opposes the bail petition and submits that there is specific accusation against this petitioner that he alongwith other co-accused persons killed the deceased. He further submits that petitioner has got criminal antecedent also.

Considering the aforesaid facts and circumstances as well as the fact that after investigation, police submitted final form against petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Nawanagar (Sonbarsa O.P.) P.S. Case No. 298 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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