

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44681 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- MANPUR District- Nalanda

NATWAR CHAUDHARY Son of Mr. Banarshi Chaudhary @ Vanarshi Chaudhary Resident of Village - Kharebiga, P.S.- Manpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam
For the Opposite Party/s : Mr.Bharat Bhushan
Mr. Pankaj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 11-02-2022 Heard learned counsel for the petitioner, the State and the informant.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 341, 307, 34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, while the informant was returning home this petitioner along with co-accused, Jitendra Choudhary, fired upon him, which hit in his abdomen.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that the alleged occurrence took place at



about 8 PM but no means of identification has been disclosed. It is further submitted that as per FIR two persons are alleged to have fired upon the informant but the doctor found only one injury, that is, one wound of entry and another wound of exit. It is next submitted that informant died after lapse of three months of his discharge from the hospital and the doctor has not ascertained the cause of death. Petitioner claims clean antecedent and is in custody since 03.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that informant in his restatement clearly stated that this petitioner caused gun shot injury to him and the informant died during the course of treatment.

Considering the nature of accusation and gravity of the offence as well as the fact that the informant in his restatement attributed the allegation of firing against this petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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