

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46767 of 2021**

Arising Out of PS. Case No.-98 Year-2017 Thana- BAKHARI District- Begusarai

CHANDRAMANI CHOUDHARY @ PHOOL CHOUDHARY Son of Late  
Madhav Choudhary Resident of Parihara, P.S. - Bakhri (parihara), District -  
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Daya Shankar Prasad Sinha, Adv.  
For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      07-03-2022                      Heard learned counsel for the parties.

The petitioner has preferred this application for grant  
of regular bail in a case registered under sections 302, 120B  
and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused persons  
are said to have come variously armed. It is further stated that as  
a result of indiscriminate firing by the accused persons  
including the petitioner herein, the brother of the informant  
died.

It is submitted by learned counsel for the petitioner  
that the petitioner has been falsely implicated in the case. The  
allegations are general and omnibus in nature. The informant is  
himself a veteran criminal and accused in dozens of cases. In



one of the cases the father of the petitioner herein himself is a witness and as such the false implication in the instant F.I.R. Investigation in the case has concluded and the trial has commenced. The petitioner undertakes to cooperate in the trial. The petitioner is in custody since 11.12.2020 and his case stands on a similar footing to that of a number of coaccused including Saurabh Kumar Singh, Keshav Mishra and others who have been enlarged on bail, orders of which have been brought on record as annexures to the supplementary affidavit.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that there is direct allegation against the petitioner and others in the F.I.R. So far as bail to Saurabh Kumar Singh is concerned, he was enlarged on bail giving him benefit of being a juvenile. With respect to grant of bail to Jata Shankar Yadav, it is submitted that the Hon'ble Court has committed an error of record and referring to the postmortem report, learned counsel submits that as many as four wounds of entry of firearm shots have been found on the body of the deceased being on chest, temporal region etc.

Having heard learned counsel for the parties and taking



into consideration the facts of the case, the nature of allegation in the F.I.R. and the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

**(Partha Sarthy, J)**

Bibhash/-

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