

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56070 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- BARARI District- Katihar

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Bulla Choudhary Son Of Viptan Choudhary @ Bittan Choudhary Resident Of
Village - Tali Bhaththa, P.S. - Barari, District – Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 58400 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- BARARI District- Katihar

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Sandeep Kumar Choudhary @ Sandeep Choudhary Son Of Mohar Lal
Choudhary Resident Of Village - Tali Bhaththa, Barari, P.S.- Barari, District -
Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 56070 of 2021)

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Dilip Kumar No.1

(In CRIMINAL MISCELLANEOUS No. 58400 of 2021)

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-10-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case



registered for the offence punishable under Sections 302, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The brother of the informant is said to have been shot dead by co-accused Ashok Chaudhary while he had gone for fishing. The petitioner is said to have been involved along with other co-accused.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is specific overt act against other co-accused Ashok Choudhary and Sandesh Choudhary who fired upon the deceased. He submits that there is no specific overt act against the petitioner. He submits that petitioner was only the member of the mob. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on



furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barari P.S. Case No. 196 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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