

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60537 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- SARAI RANJAN District- Samastipur

Rajesh Kumar Choudhary @ Rajesh Choudhary @ Sanny Choudhary Son Of
Late Brajbhushan Choudhary Resident Of Village- Chandchaur Dih, P.S.-
Ujiyarpur, District- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Sarairanjan P. S. Case No.88 of 2021, instituted for the offences
under Sections 396 and 412 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 24.07.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that the
informant alleges that his brother was returning to C.S.P. with
Rs.3,60,000/- when he was intercepted by five unknown
criminals, who fired indiscriminately killing the deceased and



fled with the money.

The learned counsel for the petitioner submits that the name of this petitioner came in the confessional statement of co-accused Rahul Kumar recorded at Para-97 of the case diary, who stated that petitioner managed arms and ammunitions for the group and Shubham Kumar and Anand Mohan Jha had fired at the deceased.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case at the behest of Rahul Jha. He is a person with clean antecedent and is a young boy of 22 years of age and if he is kept in custody, his entire career would be jeopardized.

The learned A.P.P. for the State opposes the bail application and submits that similarly situated co-accused Vikash Roy @ Rajesh Kumar Roy, whose bail petition has been withdrawn by order dated 21.03.2022 in Cr. Misc. No.60505 of 2021. The learned counsel for the petitioner rebutting the submissions of the learned A.P.P. submits that the main consideration for withdrawing the bail of Vikash Roy was of his antecedents. In the present case, the petitioner is a person with clean antecedent.

Considering the fact that the petitioner is in custody,



he is a person with clean antecedent and charge-sheet has been submitted in the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Samastipur in connection with Sarairanjan P. S. Case No.88 of 2021, subject to condition that one of the bailors shall be the grandfather of the petitioner namely, Vishwanath Chaudhary.

The application stands allowed.

(Satyavrat Verma, J)

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