

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51674 of 2022

Arising Out of PS. Case No.-239 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

RAHUL CHOUDHARY Son of Shri Baliram Choudhary Resident of village -
Khanda, P.S.- Sasaram (Muffasil), District - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar Pandey, Advocate
For the Opposite Party : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s) as pointed out by the office within a period of four
weeks.

The petitioner seeks bail in a case registered under Sections
379, 414/34 of the Indian Penal Code and under Sections-25(1-b)a,
26 of the Arms Act.

The prosecution case in short is that while on the tip off, the
informant along with other police personnel reached at the place of
occurrence, 4-5 persons having seen police force, started fleeing
away. On chase, one person namely Chhotu Ram was apprehended.
On search, one loaded pistol with live cartridges was recovered from
his waist. On the place of occurrence, a motorcycle was also
recovered.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is in custody since 18-05-2022 and charge sheet has been submitted in the present case. The petitioner is not named in the FIR. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. The petitioner has not been put on TIP to ascertain his participation in the alleged occurrence. No stolen article is said to have been recovered from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sasaram, District-Rohtas in connection with Sasaram (Muffasil) P.S. Case No. 239 of 2017.

(Sudhir Singh, J)

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