

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62704 of 2021**

Arising Out of PS. Case No.-23 Year-2020 Thana- KHAGARIA District- Khagaria

SANATAN CHOUDHARY @ SANAT CHOUDHARY SON OF MAHESH
CHOUDHARY R/O VILLAGE- RAHIMPUR, P.S.- MUFASSIL THANA,
P.O.- RAHIMPUR, DISTT.-KHAGARIA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kalyan Shankar, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

2 13-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 323, 341, 504 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the five named accused persons including the petitioner herein came. It is further stated that on the orders of this petitioner, the other accused persons caught hold of the informant and Saroj Choudhary shot him in the stomach.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. The manner of



occurrence being other than what has been narrated in the F.I.R. In any case, the petitioner is not said to be the assailant. He is in custody since 6.7.2021 and chargesheet has been submitted in the case. It is further submitted that a typographical error has occurred in paragraph no.1 of the petition wherein inadvertently section 307 of the Indian Penal Code has not been typed.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been said to be the assailant in the F.I.R., having remained in custody for 9 months and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Khagaria (Mufassil) P.S. Case no.23 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria.

(Partha Sarthy, J)

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