

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11782 of 2022**

Arising Out of PS. Case No.-118 Year-2020 Thana- PATNA CITY CHOWK District- Patna

Neeraj Choudhary, Son Of Anil Chaudhary Resident Of Village - Kahartoli
Chouk Sikarpur, P.S.- Chauk, Distt.- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 06-01-2023 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 387, 120(B)/ 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3/ 4 of the Explosive Substances Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 04.02.2021 and has antecedent of seven cases and charge-sheet has been submitted in this case and the informant alleges that her husband owned a jewellery shop and received extortion call from Sagar Yadav and Jacki. Further alleges that on non-fulfilment of ransom demand, six criminals on two motorcycles came and shot her husband. Thus, alleges that Sagar Yadav got the occurrence committed.

The learned counsel for the petitioner submits that



petitioner is not named in the F.I.R. and his name transpired during the course of investigation based on confessional statement of co-accused in police custody which does not have any evidentiary value. It is also submitted that petitioner was implicated on account of his antecedent by the police. The learned counsel next submits that a supplementary affidavit has been filed and from perusal of the same, it would manifest that out of seven cases, the petitioner is on bail in three cases and in one case, compromise has been filed and in two cases, he was not named in the F.I.R. like in the present case.

Learned A.P.P. opposes the bail application and submits that the husband of the informant died on account of gunshot injury and the police after investigation, arrested the accused persons and the name of the petitioner transpired in confessional statement of the co-accused.

Considering the submission made by the learned Additional P. P., the Court is not inclined to release the petitioner on bail.

Accordingly, his prayer for bail stands rejected.

(Satyavrat Verma, J)

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