

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23363 of 2023

Arising Out of PS. Case No.-164 Year-2021 Thana- SULTANGANJ District- Bhagalpur

PHUTOOSH CHOUDHARY @ RAVI KUMAR son of Late Kishori
Choudhary Villae- Thana Road Sultanganj Ps- Sultanganj Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

It is a case of commission of murder to the
informant's brother by the petitioner and other accused persons
by causing fire arm injury. In the background of the alleged
occurrence, there was previous long standing business rivalry.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case.
Petitioner is not the named accused. Informant is not the eye
witness of the occurrences and just on the basis of mere
suspicion, name of the petitioner sprang up in this case. Save



and except, self statement of the petitioner, nothing has come against the petitioner to show his complicity in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 16.09.2022 passed in Cr. Misc. No. 34986 of 2022. Petitioner is languishing in judicial custody since 01.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIII, Bhagalpur in connection with Sultanganj P.S. Case No. 164 of 2021.

(Sunil Kumar Panwar, J)

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