

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25010 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- BACHHWARA District- Begusarai

1. Shivam Kumar Choudhary Son Of Late Shatrughan Choudhary R/O Village-Fateha, P.S.- Bachwara, District- Begusarai
2. Shubham Choudhary Son Of Late Shatrughan Choudhary R/O Village-Fateha, P.S.- Bachwara, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120 (B) of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, on 31.10.2022 when the informant with his son Sunil Kumar Yadav @ Munna Yadav was sitting at his shop, several accused persons including the petitioners came there with pistol and one of the co-accused Kanhaiya Chaudhary fired upon the chest of the informant's son due to which he sustained gun shot injury and he died.

It is submitted by learned counsel for the petitioners



that the petitioners are innocent and they have falsely been implicated in the present case due to ulterior motive. The allegation against the petitioners are general and omnibus. The specific allegation of shot fire upon the deceased is against co-accused Kanhaiya Chaudhary. There is no material on record to corroborate the allegation against the petitioners. It is also submitted that petitioner No. 1 is languishing in judicial custody since 15.02.2023 and petitioner no.2 is languishing in judicial custody since 03.02.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bachhwara P.S. Case No. 281 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai.

(Sunil Kumar Panwar, J)

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