

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30072 of 2023

Arising Out of PS. Case No.-50 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

Sanjay Chaudhary @ Sanjay Chaurasia Son of late Ram Dayal Chaudhary
R/V- Jarhua Barai Tola, PS- Industrial Area, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-08-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the allegation against two unknown miscreants is that they fired upon the informant's brother due to which he sustained gunshot injury and when one customer Lala Rai tried to caught the miscreants they also fired upon him due to which he also sustained gunshot injury and died on the spot. The informant's brother was taken to Paras Hospital, Patna but he died during treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused Sujeet Kumar Singh, before the police which has no



evidentiary value in the eye of law. The petitioner is not named in the FIR and he has no concern with the alleged occurrence and there is no specific allegation of committing murder attributed against the petitioner. During investigation, no consistent material has come against the petitioner to show his involvement in the present occurrence. Similarly situated co-accused namely Amresh Kumar has already been granted bail by this Bench vide order dated 11.07.2023 passed in Cr. Misc. No. 12484 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 14.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Industrial Area P.S. Case No. 50 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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