

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43681 of 2023

Arising Out of PS. Case No.-34 Year-2021 Thana- CHOUTARWA District- West Champaran

Rajesh Chaudhary Son Of Nagina Chaudhary Resident Of Village- Piparapati,
Po- Dudhiawa, Ps- Nawalpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 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 307, 504, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from his possession one country made *katta* loaded with a live cartridge and one mobile phone was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no



concern with the alleged recovery rather it was a planted one. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 03.08.2022 passed in Cr. Misc. No. 3615 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 25.02.2021.

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 Choutarwa P.S. Case No. 34 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge, Bagaha, West Champaran.

(Sunil Kumar Panwar, J)

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