

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47248 of 2023

Arising Out of PS. Case No.-348 Year-2023 Thana- ARA NAGAR District- Bhojpur

Chandan Chaudhary Son Of Ajay Chaudhary Resident Of Village- Anand
Nagar, Ps- Ara Town, Distt- Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-09-2023 At the outset, it is submitted by learned counsel for the petitioner that in para-3 of the petition, due to bonafide mistake, he could not give the exact figure of criminal antecedent of the petitioner. In para 2 of supplementary affidavit, it is stated that petitioner has got two criminal antecedents.

Heard learned counsel for the petitioner, learned senior counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 323, 384, 448, 307/34 of the Indian Penal Code and section 27 of the Arms Acts.

3. As per allegation in the FIR, two accused persons came on 5.5.2023 at the house of the informant and called his



son and demanded twenty thousand. When his son, Chandrabhanu raised objection, petitioner and co-accused Rohit Singh started to assault him and opened fire as a result of which bullet hit below the knee of right leg of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No such occurrence as alleged by the informant took place. Only one simple injury received by the son of the informant caused by hard and blunt object below the right leg, which is not a vital organ. Petitioner is languishing in judicial custody since 5.5.2023.

5. The application for bail is opposed by learned APP for the State and learned Sr. Advocate on behalf of the informant and submitted that in para 3 of the petition, petitioner has suppressed his one criminal antecedent. It is further submitted that petitioner was granted bail in Bikramganj PS Case No. 288 of 2017 and out of the conditions imposed upon the petitioner, one of the condition not to repeat similar nature of offence, still he has occurred similar type of offence.

6. 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 CJM, Bhojpur at Ara in connection with Ara Town P.S. Case No. 348 of 2023.

(Sunil Kumar Panwar, J)

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