

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44610 of 2022

Arising Out of PS. Case No.-65 Year-2012 Thana- BIHTA District- Patna

MUNNA CHAUDHARY @ MUNNA S/o Radha Mohan Chaudhary @
Radha Mohan Chaudhary R/o village- Belaur, P.S.- Udwant Nagar, District-
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.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-02-2023 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, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged that the husband of the informant was killed by some unknown miscreants while he was returning after attending Shradh. Participation in this crime of the petitioner has been shown from the confession made by co-accused Rajnish Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. Neither the petitioner named in FIR nor he has concerned with the deceased or the informant. The name of the petitioner has



sprang up in this case on the basis of confessional statement of co-accused namely, Rajnish Kumar @Munna and Niranjana Kumar, which has got no evidentiary value in the eye of law. Except this, no any direct or consistent material came against the petitioner. Moreover, similarly situated co-accused namely, Kundan kumar has already been granted bail by a coordinate bench of this court vide order dated 19.3.2015 in Cr. Misc. No. 10304 of 2015. It is further submitted that the petitioner is languishing in judicial custody since 22.12.2021.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihta P.S. Case No. 465 of 2012 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur.

(Sunil Kumar Panwar, J)

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