

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52871 of 2023

Arising Out of PS. Case No.-1094 Year-2019 Thana- PHULWARISHARIF District- Patna

SHEKHAR CHAUDHARY @ SHEKHAR KUMAR S/o Bishundev Chaudhari @ Prishundev Chaudhary R/o near Ranipur More, Pethiya Bazar, P.S.-Phulwari Sharif, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Phulwari Sharif P.S. Case No. 1094 of 2019 dated 21.12.2019 registered for the offences punishable u/s 363, 365 of the Indian Penal Code and Sections 302, 201, 147, 149 of the IPC were further added.

4. As per the prosecution case, on 21.12.2019, a call for Bandh was called by a political party. The informant's son went to participate in the said rally near Padav, Phulwari Sharif.



However, the informant's son did not return till 10 P.M. at night. In the margin of the FIR, further information was provided that from one side of the group, firing was resorted to.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. His name has sprung up in the confessional statement of the co-accused persons. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 24.7.2021 passed in Cr. Misc. No. 35889 of 2020. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 22.3.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Patna Sadar in connection with Phulwari Sharif
P.S. Case No. 1094 of 2019.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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