

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56929 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- SANDESH District- Bhojpur

TUNTUN CHOUDHARY S/o- GIRI CHOUDHARY @ SRI CHAUDHARI
Village- Pandura Rampur Ps- Sandesh Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-09-2023 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 363, 365, 34 of the Indian Penal Code and later on Section 302 and 201 of the IPC was also added.

As per prosecution case, the allegation against the petitioner is that he along with other abducted brother-in-law of the informant and committed his murder due to enmity.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The informant is not an eye witness of the alleged occurrence and no specific allegation levelled against the petitioner. It is further submitted that except suspicion no



consistent material has come out against the petitioner. He has got no criminal antecedent. Similarly situated co-accused namely, Binod Choudhary has already been enlarged on bail by this Court vide order dated 06.09.2023 passed in Cr. Misc. No. 48815 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.03.2023.

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 Sandesh P.S. Case No. 01 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-XIII, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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