

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54073 of 2023**

Arising Out of PS. Case No.-129 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

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Sunil Chaudhary Son Of Kapildev Chaudhary Village Akorhi, Ps- Ramgarh,
Dist- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Soni Srivastava
		Mr. Pawan Kumar Singh
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-09-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 307/34 of the Indian Penal Code and Section

27 of the Arms Act.

Earlier the prayer for bail of the petitioner

was rejected vide order dated 24.02.2023 passed in

Cr. Misc. No. 58902 of 2022 with an observation to



the Trial Court to expedite the trial and conclude the same at the earliest.

It is alleged against the petitioner that he opened fire upon the brother of the informant along with co-accused Jitendra Chaudhary and Gurucharan Chaudhary, as a result of which, the victim sustained three gunshot injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general allegation of firing against the petitioner and two other accused persons and in the background of some political rivalry, the present accusation has been levelled against him. The petitioner is languishing in custody since 27.06.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that during investigation several witnesses have supported the



case of the prosecution.

In pursuance to the direction of this Court, a report with regard to the present stage of the trial has been received and it has been kept at Flag-A. The report of learned Additional Sessions Judge-III, Kaimur at Bhabua dated 02.09.2023 suggests that the case is pending at the stage of prosecution evidence and out of nine prosecution witnesses, four have been examined and it may take six months for its conclusion which suggests that trial is not likely to be concluded in near future.

Considering the fact that there is no specific allegation against the petitioner, there is no likelihood of the trial being concluded in near future and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Kaimur at Bhabua in connection



with Ramgarh P.S. Case No. 129 of 2022 (Sessions
Trial No. 362 of 2022).

(Sunil Kumar Panwar, J)

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