

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54321 of 2023

Arising Out of PS. Case No.-136 Year-2018 Thana- MUFFASIL District- West Champaran

RADHESHYAM CHAUDHARY SON OF LALJI CHAUDHARY
RESIDENT OF VILLAGE - PARSAYBU BAITHA, POLICE STATION -
NAUTAN, DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302/ 34 of the Indian Penal Code and u/s 27 of Arms Act.

3. As per the prosecution case, on 05/04/2018 at about 6.30 PM, while the informant and his brother were returning home after closing shop and when they reached near Phulwari on Nautan road, two persons on a motor cycle overtook them and this petitioner opened fire at his brother as a result of which he died on the spot.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that police after



investigation submitted final form but differing with the same the court below took cognizance. Petitioner has got clean antecedent.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that there is direct and specific allegation against this petitioner that he opened fire at the brother of informant as a result of which he died on the spot.

6. Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

BKS/-

U		T	
---	--	---	--

