

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55385 of 2023

Arising Out of PS. Case No.-178 Year-2020 Thana- BELDOUR District- Khagaria

Chhotu Choudhary Son Of Arun Choudhary @ Arun Prasad Choudhary
Resident Of Village - Sultanganj, Ps- Sultanganj, District -BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-08-2023 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.

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 Beldaur P.S. Case No. 178 of 2020, G.R. No. 1998A of 2020 dated 06.07.2020 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, an unknown person was shot dead in Baisi Chap and the dead body was lying there. On inquiry, no one identified the dead body.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Mithun Kumar. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 17.05.2023 passed in Cr. Misc. No. 15375 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.04.2023.

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, Khagariya in connection with Beldaur P.S. Case No. 178 of 2020, G.R. No. 1998A of 2020.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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