

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59688 of 2023

Arising Out of PS. Case No.-271 Year-2021 Thana- SHERGHATI District- Gaya

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SURENDRA CHAUDHARI @ SURENDRA CHAUDHARY S/O RAMJIT CHAUDHARY @ RAMAJIT CHAUDHARY R/O VILLAG- KOSMA, P.S- DOBHI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA ADMINISTRATION

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is in custody since 17.05.2021 in connection with Sherghati P.S. Case No. 271/2021 registered for the offence punishable under Sections 147/149/324/302 of the Indian Penal Code.

3. As per the prosecution case, six persons took the victim Prince Kumar who was killed later on. Other accused persons are also named in the F.I.R. to have participated in the crime.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on the basis of suspicion. He further submits that the petitioner is not named in



the F.I.R. The petitioner has no criminal antecedents.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. In the impugned order, the learned Additional Judge has said that the petitioner is the main accused. The murder weapon has been recovered on the statement of the petitioner.

7. Considering the fact that the petitioner is the main accused on whose statement, the murder weapon has been recovered, I am not inclined to grant bail to this petitioner. It is, accordingly, dismissed.

8. The trial of all the cases registered against the petitioner are directed to be expedited.

9. Let a copy of the order be communicated to the learned District Judge, Gaya as well as to the Senior Superintendent of Police, Gaya through FAX/e-mail forthwith for compliance of the order.

(Sandeep Kumar, J)

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