

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57186 of 2022

Arising Out of PS. Case No.-83 Year-2022 Thana- BACHHWARA District- Begusarai

Saurav Chaudhary @ Saurav Choudhary Son Of Dinesh Chaudhary Resident
Of - Ward No.- 8, Godhana, Godhna, P.S.- Bacchwara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-04-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in Sessions Trial No. 684 of
2022 arising out of Bacchwara P.S. Case No. 83 of 2022
registered for the offence under Section 302 of the Indian Penal
Code and under Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.04.2022.

The allegation against the petitioner is to commit
murder of father of the informant by causing firearm injuries,
while he made firing quarreling with Vijay Chaudhary.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is falsely implicated in this present case, as the F.I.R. itself speaks that alleged firing was not made intentionally. It is further pointed out that the informant is not the eye witness of the occurrence. It is also submitted that the face of F.I.R. is also suggesting that bullet hit the deceased father of the informant accidentally and as such maximum allegation appears of under Section 304 (II) of the Indian Penal Code and not of murder. It is also pointed out that after the occurrence, petitioner himself surrendered before the Court, which also reflects the act of petitioner, who is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as father of informant, received bullet injury accidentally, as per narration of F.I.R., coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in Sessions Trial No. 684 of 2022 arising out of Bacchwara P.S. Case No. 83 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge-I, Begusarai/concerned
Court, subject to the conditions as mentioned under Section
437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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