

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63596 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- KALYANPUR District- Samastipur

Prabhat Chaudhary @ Prabhat Kumar S/O Sanjay Chaudhary R/O Village-
Nima Chakhaidar, Ps. Chakmehashi, Dist. Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 307, 392/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation in the FIR, four accused persons named in the FIR, ambushed near water ways dam and on seeing the informant, they came out and on pistol point, petitioner snatched his Pulsar motorcycle. Other accused persons started indiscriminate firing upon the informant but he luckily saved.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No injury report is brought on record in case diary to support the



prosecution version. In fact, no one has received any injury, so no case u/s 307 IPC is made out against the petitioner. Petitioner is well known to the informant hence, there is no question of snatching motorcycle from him. This case is based on concocted and fabricated story with ulterior motive to harass the petitioner. Petitioner is languishing in judicial custody since 27.5.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class-cum-Additional Munsif, Samastipur in connection with Kalyanpur P.S. Case No. 125 of 2023.

(Sunil Kumar Panwar, J)

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