

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78221 of 2023

Arising Out of PS. Case No.-195 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Ritesh Kumar Rai @ Ritesh Chaudhary S/O Shesh Nath Rai R/O Village-
Bara, PS. Bihiya, Dist. Bhojpur, At Present Mohalla- Jagdeo Nagar, Ps. Ara
Nawada, Dist. Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay Narain

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302/34 of the Indian Penal Code and Section

27 of the Arms Act.

The prosecution case, in brief, is that on

28.04.2023 at about 7:30 P.M, someone called on the

mobile of informant's father that Mikhiya Butan

Chaudhary and Upendra Chaudhary are calling him

but the informant's father refused to go. At about



8:15 P.M, Rishi Chaudhary, Ritesh Chaudhary and Rupan Thakur came and forcefully taken away the informant's father. After some time, the informant himself went in search of his father and found that Butan Chaudhary, Upendra Chaudhary, Kariman Chaudhary, Rishi Chaudhary, Rupan Thakur, Ranjai Saw and Ritesh Choudhary all were drinking liquor at a bed and are abusing his father and further on instigation of Upendra Chaudhary, Butan Chaudhary pointing the pistol at the temples of informant's father shoot him. Again Upendra Chaudhary fired and the bullet hit at the chest of the deceased. The fired bullet of Rishi Chaudhary hit at the stomach of his father and the fired bullet of Kariman Chaudhary hit at the hand of informant's father, due to which, he died.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner and the



specific allegation of gunshot injuries is against other co-accused persons. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is languishing in custody since 25.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused person has been granted the privilege of bail by a coordinate Bench of this Court vide order dated 20.09.2023 passed in Cr. Misc. No. 60975 of 2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with



Udwant Nagar P.S. Case No. 195 of 2023.

(Sunil Kumar Panwar, J)

Shageer/-

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

