

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5004 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- SAMHO District- Begusarai

Ramshankar Choudhary son of Late Gangotri Choudhary, resident of Village-
Shamho Totaha, PS- Shamho District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Shamho P.S. Case no.34 of 2023 registered under sections 302, 323, 326, 327, 341, 342, 504 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that it is on the orders of this petitioner that Abhishek Rai resorted to firing as a result of which the husband of the informant sustained two gunshot injuries and died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even as per the allegations in the F.I.R., he is not said to be the assailant of



the deceased but at best he is said to be order giver. He is in custody since 22.11.2023 and undertakes to cooperate in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but there is specific allegation against him of active participation in the occurrence. It was on the orders of the petitioner that the deceased was shot and killed. It is further submitted that the petitioner has several criminal antecedents against him.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R. wherein he is described as an order giver together with the petitioner having remained in custody since 22.11.2023, the Court directs the petitioner to be enlarged on bail in connection with Shamho P.S. Case no.34 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, Begusarai.

(Partha Sarthy, J)

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