

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17469 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- BACHHWARA District- Begusarai

Prem Kumar Chaudhary SON OF LATE HILASH CHAUDHARY
RESIDENT OF VILLAGE- FATEHA, PS- BACHCHWARA, DISTT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 15-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner apprehends his arrest in connection with Bachhwara P.S. Case No.257 of 2023 registered for the offence under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is to have committed murder of the father of the informant along with other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. It is submitted that the informant is not an eye witness of the occurrence. It is submitted that it appears from



perusal of FIR that petitioner was driving the motorcycle and there is no specific allegation as regard to overtact against the present petitioner. It is also submitted that there is land dispute in between the parties and both the parties are agnate.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner and submitted that if the petitioner would be granted privilege of anticipatory bail, the investigation of the case will be affected.

6. In view of the submissions, as made above, as it appears from perusal of FIR that three unknown persons were seen standing at the place of occurrence (Fateha Halt Gumti) and toward stations from village two persons seen on a motorcycle, where, Prem Kumar Chaudhary was driving the motorcycle and Sushil Kumar Chaudhary was pillion rider, who shot pistol at head of the deceased and as specific allegation as regard to driving the motorcycle, which was used in the occurrence is against this petitioner and as this petitioner is also involved in three other criminal cases, which have been registered for offence under Sections 468, 420, 427, 302, 120B, 147, 148, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act as stated in paragraph no.3 of the present petition, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer of anticipatory bail
of the petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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