

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22227 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- CHANDI District- Bhojpur

Prakash Choudhary S/O Late Hemant Choudhary @ Hemant Kumar
Choudhary R/O Village- Belaur, P.S- Udwant Nagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Chandi P.S. Case No. 266 of 2023, instituted for the offences punishable under Sections 147, 148, 149, 341, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution allegation, in short, is that the petitioner along with other co-accused persons, armed with various weapons, reached at the place of occurrence, threatened the informant and started firing, due to which the informant sustained fire arm injuries on his left shoulder, right wrist and in his stomach.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. There is case and counter case between the parties. It is also submitted that the occurrence took place due to settlement of Sand Ghat of the tender and there was firing from both sides. It is further submitted that the petitioner has also sustained injury in the cross firing. The petitioner is in custody since 24.10.2023 and has got one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that there is specific allegation against the petitioner of indiscriminate firing along with two other co-accused persons on the informant due to which he sustained injuries. Hence, he does not deserve the privilege of bail.

6. Considering the nature of accusation against the petitioner and the gravity of the offence, I am not inclined to grant bail to the petitioner.

7. The prayer is rejected. The Trial Court is directed to expedite the trial and to conclude the same expeditiously preferably within a period of six months from the date receipt/production of a copy of this order failing which the petitioner will have liberty to renew his prayer for bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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