

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23881 of 2024

Arising Out of PS. Case No.-185 Year-2023 Thana- BARAHAT District- Banka

Sanjay Choudhary S/o Mehilal Choudhary R/o Village- Mirzapur, P.S.-
Barahat, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyaveer Jha

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barhat
P.S. Case No. 185 of 2023 instituted for the offence under
Sections 302, 34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per prosecution case, on account of earlier
dispute, the accused persons including the petitioner started
indiscriminating firing on the brother of the informant due to
which he died.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05.12.2022. Petitioner
bears seven criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The informant is not an eye witness of the alleged occurrence. The petitioner has no concern with the alleged occurrence and no specific overt-act has been levelled against him rather general and omnibus allegation has been levelled against him. Charge-sheet has been submitted in this case. Co-accused person has been granted bail by this Court by order dated 01.03.2024 passed in Cr. Misc. No. 11800 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, judicial custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barahat P.S. Case No. 185 of 2023.

(Rudra Prakash Mishra, J)

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