

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25486 of 2024

Arising Out of PS. Case No.-1164 Year-2023 Thana- ALAMGANJ District- Patna

Raja Mour @ Raja Kumar @ Suraj Choudhary, Son Of Surendra Choudhary
@ Suresh Choudhary, Resident Of Mohalla - Gur Ki Mandi, Arfabad, P.S. -
Alamganj, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Deepak Kumar
For the Opposite Party/s :	Mr.Rabindra Kumar- A.P.P.
	Mr.Sudhir Kumar
	Mr.Rajeev Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2024 1. Heard learned counsel for the petitioner, the
learned counsel appearing on behalf of the informant and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302, 120B and 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the informant
alleges that on orders of Ram Kumar, accused Triloki Kumar
shot his brother on head and the injured died on way to hospital.
Further, the petitioner along with other named accused persons



were also involved in the occurrence.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant is an eye witness to the occurrence and is younger brother of the deceased, but then, the F.I.R. does not even remotely suggest that petitioner was present at the place of occurrence along with other named accused. It is next submitted that petitioner came to be implicated based on suspicion for the reason that petitioner is a witness in Alamganj P. S. Case No.34 of 2021 instituted against the informant in which charge-sheet has been submitted by the police.

5. The learned counsel for the informant along with learned A.P.P. Sri Rabindra Kumar opposes the anticipatory bail application and the learned counsel appearing on behalf of the informant submits that one person has been killed and the name of the petitioner has figured in the case based on suspicion, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Shri Manish Kumar Jaiswal, the learned A.C.J.M.-IV, Patnacity, Patna in connection with Alamganj P. S. Case No.1164 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Surendra Choudhary @ Suresh Choudhary.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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