

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41055 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- AMARPUR District- Banka

Chandan Choudhary S/O Birendra Choudhary R/O Village- Bharko, P.S.-
Amarpur, Dist-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with

Amarpur P.S. Case No. 127 of 2024 registered for the

offence under Sections 147, 148, 149, 188, 341, 323,

307, 332, 333, 353, 379, 504, 506 of the I.P.C.

3. The petitioner is named in the F.I.R. and is

in custody since 19.03.2024.

4. The allegation against the petitioner is to

assault police officials along with other co-accused

persons who made raid to check activities of illegal

mining, causing bodily injuries having intention to cause



their death. Allegation is also available to deter police officials to discharge their official duties.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is falsely implicated in present case as he was already known to local police due to his criminal antecedents as he found involved in two more criminal cases. It is submitted that the maximum allegation against the petitioner what can be gathered from bare perusal of FIR is only being the member of the mob. It is further pointed out that injuries appearing is simple in nature, which not appearing to suggest that the same may likely to cause death of injured as to attract the allegation *prima-facie* under Section 307 of the Indian Penal Code. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP opposes the prayer of bail.

7. In view of the aforesaid factual submissions, as no specific allegation regarding physical assault or to deter police official in discharging their duties is available against the petitioner, coupled with fact that charge-sheet has already been submitted , where petitioner is in custody since 19.03.2024., let the petitioner, above named, is directed to be released on bail in connection with Amarpur P.S. Case No. 127 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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