

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44077 of 2024

Arising Out of PS. Case No.-161 Year-2012 Thana- BACHHWARA District- Begusarai

Ramkumar Chaudhari @ Kari Chaudhari S/O Upendra Chaudhary @
Upendra Choudhary R/O Village-Godhna, P.S.-Bachhwara, Distt-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar,Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 11-11-2024 Heard Mr. Shanshank Shekhar, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Bachhwara P.S. Case No.161 of 2012 for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act lodged on 26.10.2012 by the informant, Nutan Devi.

3. As per the prosecution story, the informant alleged that on 26.10.2012, the Manager, Bambam Singh had gone to realize the loan amount, when he reached near Primary Health Centre, Godhna, the accused persons armed with weapon assaulted him. Further allegation is that this petitioner along with Mithilesh Choudhary and Mukesh Choudhary fired upon him. The Manager subsequently, succumbed to his injuries.



Accordingly, the FIR.

4. Learned counsel for the petitioner submits that due to earlier dispute, he has been named, had no role to play in the matter and has already surrendered and is in custody since 17.02.2024. He points out that the person who died had almost a dozen criminal cases under his belt.

5. Learned APP opposes the prayer submitting that despite he being named as one of the main accused in the FIR, evaded arrest for twelve years which delayed the trial, he has criminal antecedents inasmuch as 10 criminal cases which include sections 302 and 307 IPC under his belt.

6. Considering the submissions put forward by the parties as also the fact that the petitioner chose to surrender after a decade which certainly delayed the trial, now that he is in custody, it would be appropriate that he faces the trial. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

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