

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49414 of 2024

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

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Ankaj Kumar Choudhary, son of Late Ajay Kumar Choudhary, resident of
Village-Rampur, P.S.- Amarpur, Dist- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Narayan Singh, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Amarpur P.S. Case No.127 of 2024 registered under

Sections 147, 148, 149, 188, 341, 323, 307, 332, 333,

353, 379, 504 and 506 of the Indian Penal Code.

3. 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 duties.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner has been falsely implicated in present case, as he was already known to local police due to his criminal antecedents, as he found involved in three 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. It is further submitted that similarly situated co-accused, namely, Chandan Choudhary has already been granted bail by this Court vide order dated 12.06.2024 passed in Cr. Misc. No.41055 of 2024. While concluding argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions, as no specific allegation regarding physical assault or to deter



police official in discharging their official duties is available against the petitioner, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 19.03.2024, accordingly, the petitioner, above-named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka/concerned court in connection with Amarpur P.S. Case No.127 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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