

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58626 of 2024

Arising Out of PS. Case No.-94 Year-2022 Thana- TEGHRHA District- Begusarai

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Ram Niwash Choudhary Son of Ramdarash Choudhary @ Late Dashrath
Choudhary R/V-Village -Naya Nagar Dularpur, PS- Teghra, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Teghra P.S. Case No. 94 of 2022 dated 14.04.2022 corresponding to Sessions Trial No. 1079 of 2022 registered for the offences punishable u/ss 364, 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped two sons of the informant. It is further alleged that they have left his one son and killed another son.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There is no eye witness to the alleged occurrence. Both parties are next door neighbour. Except suspicion, no other consistent material has come during investigation to implicate the petitioner in the present case. The petitioner has seven criminal antecedents in which he is on bail in one case and he is acquitted in five cases as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the bail application of the petitioner was earlier rejected by a Coordinate Bench of this court vide order dated 14.02.2023 passed in Cr. Misc. No. 51682 of 2022 on merit. Learned counsel has further submitted that one of the sons of the informant, Chhotu Rai has stated that the petitioner Ram Niwas Choudhary and the co-accused, Pappu Choudhary, Ranjit Singh, Amresh Singh @ Munda Singh, Munna Kumar and Ram Chandra Choudhary came to the filed and forcibly kidnapped him and his brother, Nikesh Rai and went to diyara and assaulted them. He has also stated that at 11.00 P.M., he was released then he saved his life in maize field. Learned counsel has further submitted that one of the sons Nikesh Rai of the informant is still traceless and also submitted that one of the



informant’s sons, Chhotu Rai is the eye witness of the said occurrence. Learned counsel has further submitted that during course of investigation, several witnesses, in para 113, 118, 123 and 129 have supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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