

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75671 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- SULTANGANJ District- Bhagalpur

PRAMOD CHOUDHARY son of Saryug Choudhary R/o- Nayee Sidhi Ghat
W.No-4, Ps- Sultanganj Dist- Bhagalpur Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 05-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sultanganj P.S. Case no. 54 of 2023 registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that his father was involved in collecting and sale of toddy. It is stated that Kailash Choudhary came and informed him that three unknown accused persons had shot his father. On reaching the place of occurrence, the informant found his father to have died. The informant raised suspicion against Dinesh Choudhary and the petitioner herein as they had threatened him in the past.

4. Learned counsel for the petitioner submits that an unfounded suspicion has been raised against the petitioner who has been falsely implicated in this case due to oblique reason.



No material has transpired in course of investigation to connect him with the alleged crime. Referring to the order of the learned trial Court, learned counsel for the petitioner submits that the prosecution is mainly relying on the C.D.R. of the phone of the petitioner and that the petitioner and one another were found absconding from their home. The petitioner is in custody since 22.8.2023 and charge sheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard the learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation and the petitioner being in custody for more than 6 months since 22.8.2023, this Court directs the petitioner to be released on bail in connection with Sultanganj P.S. Case no. 54 of 2023 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 Additional Chief Judicial Magistrate I, Bhagalpur.

(Partha Sarthy, J)

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