

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19226 of 2025

Arising Out of P.S. Case No.-273 Year-2023 Thana- BALIYA District- Begusarai

Chimpu Kumar @ Rajan Kumar @ Rajan Choudhary @ Chintu Kumar S/O
Ramanuj Choudhary @ Ramanuj Chaudhary R/O Village- Masudanpur, P.S-
Ballia (Baliya), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP
For the Informant	:	Mr. Saket Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

6 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with Ballia
(Baliya) P.S. Case No. 273 of 2023 instituted for the offences
under Section 302 of the Indian Penal Code and later on added
Section 27 of the Arms Act.

3. As per prosecution case, the father of the informant
was shot dead by the unknown miscreants while he was
sleeping.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
at the instance of the local villagers. The petitioner is not named



in the F.I.R. and his name has transpired in this case in course of investigation. He further submits that there is delay of two days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that in course of investigation, the police arrested the co-accused Amlesh Choudhary and recorded his confessional statement in which he has accepted his involvement in the alleged occurrence. He has also taken the name of the petitioner to be involved in the alleged occurrence. He further submits that though the co-accused Amlesh Choudhary has stated in his confessional statement that the petitioner has shot fire upon the deceased but, the confessional statement recorded before the police has no evidentiary value in the eye of law. The petitioner is the cousin brother of the informant. The petitioner has no criminal antecedent and is languishing in judicial custody since 28.08.2024 without any rhymes or reason.

5. Learned counsel for the petitioners again submits that the co-accused namely Amlesh Chaudhary has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.01.2025 passed in Cr. Misc. No. 77243 of 2024.

6. On the other hand, learned A.P.P. for the State and



the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. It is further submitted that that the witnesses in their statement recorded in Para 64, 65 and 66 of the case diary have supported the prosecution case. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner and Amlesh Choudhary for offence under Sections Section 302/34 of the Indian Penal Code and, later on, added Section 27 of the Arms Act.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ballia (Baliya) P.S. Case No. 273 of 2023.

(Rudra Prakash Mishra, J)

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