

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20373 of 2025

Arising Out of PS. Case No.-112 Year-2023 Thana- BARIYARPUR District- Munger

Vipul Choudhary S/o- Late Fucho Choudhary @ Rabindra Choudhary, R/o -
Gandhipur, Ward No. 09, P.S - Bariarpur, District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 30-04-2025 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 Bariarpur P.S. Case No. 112 of 2023, dated 14.06.2023 registered for the offences punishable under Section 302 read with Section 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, while the informant was sitting in his shop he heard gunshots and thereafter, he received information that his brother had been shot by someone. It is further alleged that when the informant reached the place of occurrence, he saw that one Dulo Mandal had fired upon Pankaj Mandal below his ear and Vicky Mandal, Dhiraj Mandal and



Rahul Kumar also fired upon informant's cousin Ranjan Singh below his ear. It is further alleged that both of the victims were declared dead by the doctor.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that there is no specific allegation of any assault or overt act attributed against the petitioner, rather the specific allegation of firing is attributed against the co-accused persons namely, Dulo Mandal, Vicky Mandal, Dhiraj Mandal and Rahul Kumar and at best the petitioner may be considered as member of the mob. Nothing has been recovered from the conscious possession of the petitioner. The co-accused persons namely, Nepali Mandal and Pawan Choudhary have already been granted bail by a Co-ordinate Bench *vide* orders dated 26.04.2024 and 16.05.2024 passed in Cr. Misc. No. 24333 of 2024 and Cr. Misc No. 34722 of 2024 respectively and co-accused persons namely, Jattan Mandal and Vikram Kumar have also been granted bail by a Co-ordinate Bench *vide* orders dated 03.01.2024 and 20.02.2024 passed in Cr. Misc. No. 70505 of 2023 and Cr. Misc. No. 8077 of 2024 respectively and the case of the petitioner stands on similar footing. The petitioner has clean antecedent as stated in



paragraph no. 3 of the bail petition. The petitioner is in custody since 03.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger, in connection with **Bariarpur P.S. Case No. 112 of 2023**.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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