

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23712 of 2025

Arising Out of PS. Case No.-390 Year-2020 Thana- GORAUL District- Vaishali

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Laxman Chaudhary S/o Shatrudhan Mahto Resident of Village- Maheshpur,
P.S.- Pear, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Goraul
P.S. Case No. 390 of 2020 instituted for the offence under
Sections 394 & 307 of the Indian Penal Code and Section 27 of
the Arms Act. Earlier vide order dated 16-05-2022, passed in Cr.
Misc. No. 45052 of 2021 anticipatory bail of the petitioner was
rejected.

3. On 30-09-2020 at Sarai Afjal, Vaishali, four
unknown armed miscreants robbed informant at gunpoint. They
took cash, documents, and a mobile phone, and also fired at
him, causing a firearm injury to his right forearm.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01-03-2024. Petitioner bears nine criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case in the course of investigation on the basis of confessional statement of co-accused, namely, Chandan Kumar, and the same has no evidentiary value in the eye of law. There is inordinate delay of 14 days in lodging the FIR. Petitioner was not put on T.I. Parade.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that it is the petitioner who has opened fired upon the informant, which fact is disclosed in the confessional statement of co-accused, namely, Chandan Kumar.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation of firing against the petitioner and taking into account the nine criminal antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is *rejected*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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