

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28117 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- MANSURCHAK District- Begusarai

Amit Choudhary S/O Late Nawal Chaudhary R/O Vill.- Makdampur, P.S.-
Mansurchak, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s :		Mr. Mohammed Arif

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

ORAL ORDER

4 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Mansurchak P.S. Case No. 137 of 2024 instituted for the
offences under Section 103 of the Bhartiya Nyaya Sanhita, 2023
and Section 27 of the Arms Act.

3. As per prosecution case, unknown person fired shot
at the Informant's son causing his death.

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.
The petitioner is not named in the F.I.R. and during entire



investigation, not a single witness has stated that he saw the petitioner assaulting the deceased in any way. The petitioner is the own maternal uncle of the deceased. Learned counsel for the petitioner further submits that through spy, the police learnt that Mama (petitioner) of the deceased Ravi Kumar has thrown the country-made pistol from the place of occurrence to other place whereafter the police reached at the house of the petitioner and was arrested. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 15.12.2024 without any rhyme or reason. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 238 of the Bhartiya Nyaya Sanhita, 2023 but, the cognizance has not yet been taken as yet.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that the name of the petitioner has come in Para-18 of the case diary in the form of picking up the country-made pistol from the place of occurrence through intelligence and throwing



it somewhere with the intention of hiding the evidence.
Postmortem report supports the prosecution case.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mansurchak P.S. Case No. 137 of 2024.

(Rudra Prakash Mishra, J)

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