

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42697 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Shambhu Kumar Choudhary S/o Late Parmeshwar Choudhary @ Late
Parmeshwari Choudhary Resident of Village- Amha Saifan, P.S.- Pipra,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Kusheshwar Asthan P.S. Case No. 21 of 2025 instituted for the
offence under Sections 103(2) of the Bharatiya Nyaya Sanhita,
2023 and Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that, the petitioner
along with co-accused allegedly shot and killed the brother of
the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-03-2025. Petitioner
bears no criminal antecedent, 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. There is no eye witness to the occurrence. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely, Ranjan Yadav. As per confessional statement of co-accused, namely, Ranjan Yadav, he has stated that co-accused, namely, Subodh, Mukesh and Sudarshan fired upon the deceased. There is no specific allegation against the petitioner. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per postmortem report, caused of death is due to injuries sustained by three fire arm shot.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge-sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Kusheshwar Asthan
P.S. Case No. 21 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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