

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72340 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- KAHALGAON District- Bhagalpur

Subham Kumar Choudhary @ Subham Choudhary S/o Vinay Choudhary @
Vinay Nath Choudhary @ Binay Nath Choudhary Resident Of Village-
Ghogha Bazar, Ps -Ghogha, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kr. No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-01-2025 Heard learned counsel for the petitioner and Mr. Dilip Kr.

No. 1, learned APP for the State.

2. Petitioner is apprehending his arrest in connection with Kahalgaon (Ghogha) P.S. Case No.252 of 2023, registered for the offence punishable u/s 147, 148, 149, 436, 504, 506 of IPC and 27 of Arms Act.

3. As per prosecution case, the FIR named accused persons including the petitioner set the house of the informant on fire and the co-accused, namely, Vinay Choudhary is alleged to have fired a bullet from the pistol he was holding in his hand.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. There is general and omnibus allegation against the petitioner. There is no eye witness in the present case. The petitioner has been



made accused in the present case only on the basis of suspicion.
Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the petitioner is also involved in the present case and earlier, these accused persons including the petitioner had killed the husband of the informant about two and half years ago for which Ghogha P.S. Case No. 620/2020, u/s 302/34 IPC was lodged against these accused persons and the case is still pending. These accused persons in order to pressurize the informant to compromise in the said murder case, had committed the alleged offence. This fact has come in the impugned order. It is further submitted that anticipatory bail of similarly situated co-accused person was rejected by this Court vide order dated 01.10.2024 passed in Cr. Misc. No. 64202 of 2024.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

priyanka/-

U		T	
---	--	---	--

