

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68945 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Rahul Kumar Son of Virendra Choudhary @ Birendra Sahni Village - Bajopur
P. S. - Samastipur (Muffasil) Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Musarigharari P.S Case No. 162 of 2023 registered for the offences punishable under Sections 302, 120(B)/34 of the I.P.C and Section 27 of the Arms Act.

3. As per prosecution case, son of the informant namely Deepak Kumar was playing gambling in the vacant she-goat farm of petitioner and during course of gambling altercation took place and co-accused Birju Sahni and Akhilesh Sahni shot the son of the informant and his son sustained bullet injury on his abdomen and neck and he was brought to hospital where doctor has declared his son dead.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. It is further submitted that only allegation which has surfaced in course of investigation is that the petitioner was operating the gambling center where the alleged occurrence took place. It is next submitted that co-accused has already granted bail in Cr. Misc. Nos. 11890 of 2024, 24748 of 2024 and 27626 of 2024 by the Co-ordinate Benches of this Court. It is also submitted that petitioner is in judicial custody since 26.05.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Samastipur in connection with Musarigharari P.S Case No. 162 of 2023.

(Ramesh Chand Malviya, J)

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