

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70987 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- BACHHWARA District- Begusarai

Prem Kumar Chaudhary S/o Late Hilash Chaudhary R/o Village- Fateha, P.S.-
Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Adv

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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

ORAL ORDER

4 19-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Bachhwara P.S Case No. 257 of 2023 registered for the offences punishable under Sections 302, 120B, 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per allegation in the FIR, petitioner along with one other accused person namely Sushil Chaudhary had committed murder of the informant's father by firing gun shot upon him which resulted into his death.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that it is alleged that petitioner along with his father has



put pressure upon the father of the informant for compromise the case bearing Bachhwara P.S. Case No. 40/2021 which is totally a false story. He further submits that petitioner and the informants are agnate and due to land dispute enmity has surfaced. It is also submitted that petitioner is in judicial custody since 23.07.2024 having three criminal antecedent.

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

6. On perusal of the FIR, impugned order dated 23.08.2024 and case diary, it appears from paragraph 29 of the case diary that one Nibha Devi seen the present petitioner and three unknown persons were seen standing at the place of occurrence near station namely (Fateha Halt Gumti) and from village two persons seen on a motorcycle, where, Prem Kumar Chaudhary was driving the motorccyle and Sushil Kumar Chaudhary was pillion rider, who shot pistol at the head of the deceased and specific allegation as regard to driving the motorcycle is upon the petitioner, which was used in occurrence and this petitioner is also involved in three other criminal cases, which have mentioned in Paragraph No. 3 of the present petitioner, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the bail application of the petitioner is
hereby rejected.

(Ramesh Chand Malviya, J)

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