

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81028 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- ARA NAWADA District- Bhojpur

Aman Chaudhary @ Shivam Kumar S/o Harendra Chaudhary @ Harendra Kumar Chaudhary R/o Mohalla-Tilak Nagar, Katira, P.S.-Ara Nawada, Distrcit - Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Isshan Siingh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered under Sections 302, 120-B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per F.I.R., it is alleged that on 17.01.2024, at about 08:30 pm, this petitioner along with Anand Kumar Rai came to the house of informant and took away the brother of informant Aman Kumar. Later on informant came to know at about 10:00 pm that there was a shootout near Anil Singh's house in Jagdev Nagar Mohalla, in which his brother sustained gun shot injury on head. Thereafter, informant and his family members went to the place of occurrence where they came to know that police



had taken Aman Kumar to Sadar Hospital, Ara for treatment. At the place of occurrence, informant came to know that this petitioner along with co-accused Aryan Kumar and Anand Kumar Rai killed his brother. When informant and his family members reached to Sadar Hospital, Ara, they found that Aman Kumar was lying dead.

4. Learned counsel appearing on behalf of the petitioner submits that informant is not an eye witness to the occurrence. During course of investigation it has come that it was co-accused Aryan Kumar, who allegedly fired upon the head of informant's brother. As a matter of fact, prior to the lodging of this FIR by informant, Ara Nawada Police Station had already instituted the FIR for the same occurrence bearing Ara Nawada P.S. Case No. 41 of 2024 dated 18.01.2024 at 05:00 am. Petitioner has got no concern with the alleged occurrence. Informant has not disclosed the source of information through whom he got knowledge regarding involvement of this petitioner in the occurrence, even none of the independent witnesses have named this petitioner in the occurrence and also on CCTV footage, petitioner was not found.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.



6. Having considered the aforesaid facts and circumstances of the case as well as materials available on record, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Nawada P.S. Case No. 42 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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