

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.959 of 2025**

Arising Out of PS. Case No.-185 Year-2023 Thana- BARAHAT District- Banka

Kartik Choudhary S/ Late Uday Choudhary R/o Village- Mirzapur, P.S-  
Barahat, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                            |
|----------------------------|---|----------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Yogesh Chandra Verma, Sr. Advocate<br>Mr. Brij Nandan Prasad, Advocate |
| For the Opposite Party/s : |   | Mr. Arun Kumar Singh, APP                                                  |

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

ORAL ORDER

2      10-01-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with S.T.  
No. 429 of 2024, arising out of Barahat P.S. Case No. 185 of  
2023, instituted for the offences punishable under Section  
302/34 of the Indian Penal Code and Section 27 of the Arms  
Act.

3. The prosecution case, in short, is that, on account of  
earlier dispute, the accused persons including the petitioner  
started indiscriminate firing on the brother of the informant due  
to which he died.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation has been attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 05.08.2024 and has got five criminal antecedent. It is next submitted that the deceased was veteran criminal of the locality and had six criminal cases including two cases under Section 302 I.P.C. and perhaps he may have been killed by his enemies by taking advantage of the same. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.11.2024 passed in Cr. Misc. No. 80602 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection withS.T. No. 429 of 2024, arising out of Barahat P.S. Case No. 185 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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