

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17952 of 2015

Arising Out of PS.Case No. -143 Year- 2014 Thana -SAHAR District- BHOJPUR

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Chhotu Kahar, Son of Sri Bilayati Singh, Resident of Village- Chhotaki
Kharaon , P.S. - Sahar, District- Bhojpur at Ara (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 09-09-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sahar
Police Station Case No.143 of 2014 registered under Sections
364/34 of the Indian Penal Code besides Section 27 of the Arms
Act.

The accusation is that the petitioner on 20.09.2014
came at the house of the informant, Brajesh Singh and took his
elder brother, Mithilesh Singh, near the bridge and told him that
Ashok Rai and Manoj Choudhary are calling him. Thereafter, the
informant saw that the petitioner was carrying his elder brother on
a motorcycle towards west on which Manoj Choudhary was also



sitting and behind them on another Motorcycle Ashok Rai and one unknown was going on the same direction. On the next day, when the informant made query from them about his elder brother, they did not give satisfactory reply. The informant raised suspicion that the petitioner and others after kidnapping his elder brother committed his murder and concealed his dead body.

Learned counsel appearing on behalf of the petitioner submits while the brother of the informant was seen sitting on the motorcycle of the petitioner by the informant but it has specially come at para-17 of the case diary in the evidence of Ranjeet Kumar alias Chhotu Kahar that the deceased was shot fire by Manoj Choudhary. It is also submitted that the co-accused, Ashok Rai, who was also seen moving with the deceased by the informant on another motorcycle, has already been granted bail by a Coordinate Bench of this Court vide order dated 22.04.2015 passed in Criminal Misc. No.8499 of 2015. It is further submitted that there was no enmity in between the petitioner and the deceased. The petitioner having no criminal antecedent is in custody since 26.09.2014.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)

with two sureties of the like amount each to the satisfaction of the
Chief Judicial Magistrate, Bhojpur at Ara, in connection with
Sahar Police Station Case No.143 of 2014/G.R. No.4395 of 2014.

(Rajendra Kumar Mishra, J)

P.S./-

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