

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65480 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Chotu @ Gaurav Kumar S/o Maheshwar Mahto R/o Ward No. 03, P.O.-
Samsa, P.S.- Samsa Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-12-2018

Heard the parties.

This application is for grant of regular bail in connection with Naokothi P.S.Case No.12 of 2018 for the offences under Sections 302,1 20B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner as per FIR is that the informant was present along with his brother at the Devpura Chowk, in the meantime, the petitioner came on the motorcycle and forcibly lifted his brother on the motorcycle and proceeded towards Samsa Pasi Khanna, he also ran towards that and saw that near Khajoor Banna the petitioner and two other accused persons shot fire on his brother and they have also fired on him but anyy how he saved himself.



Submission of the learned counsel for the petitioner is that motive is assigned against Naresh Mahto and not against the petitioner and he has been falsely implicated in this case and there is no other eye witness in this case and he is in custody for more than six months.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the FIR clearly discloses that the petitioner is one of the assailant and three fire arms injuries were in the postmortem report.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner .

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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