

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15686 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- MINAPUR District- Muzaffarpur

CHHOTU KUMAR, aged about 22 years (M), Son of Bindeshwar Ray @
Binda Ray, Resident of Village - Basudeo Chhapra, P.S.- Minapur, Distt -
Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Hari Kishore Thakur, Advocate.
For the Opposite Party : Mr.Anant Kumar I, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 302/34, 120(B) of the
I.P.C and 27 of the Arms Act.

The prosecution story, in brief, is that on 05.01.2020,
co-accused Rajesh Kumar and others took away the son of the
informant, namely, Deepak Kumar. After some time, he came to
know that someone shot his son. He firmly believes that Rajesh



Kumar with the help of others killed his son.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has transpired in the present case on the basis of confessional statement of the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Minapur P.S. Case No. 15/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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