

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27192 of 2020

Arising Out of PS. Case No.-157 Year-2019 Thana- MAHUA District- Vaishali

BITTU CHOUDHARY @ RAJU Son of Ashok Mahto @ Ashok Kumar
Mahto Resident of Village- Mushri Dharari, P.S.- Mushri Dharari, District-
Samstipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-10-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 396 and 397 of the Indian Penal Code.

Prosecution allegation, in short, is that the accused
persons, variously armed, started indiscriminate firing on the
brother of the informant due to which he sustained gun shot



injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.11.2019. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 157 of 2019.

(Sudhir Singh, J)

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