

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30914 of 2020

Arising Out of PS. Case No.-468 Year-2019 Thana- BARHARA District- Bhojpur

CHOTU SINGH, age about , S/o Late Shankar Singh, R/o Vill-Nathmalpur,
P.S-Barhara, District-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Ajay Kumar Singh, Advocate.
For the Opposite Party	:	Mr. Ram Sevak Choudhary, A.P.P.
For the Informant	:	Mr. Shiv Prasad Gupta, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2020 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 after restoration of normalcy.

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

The petitioner seeks bail in a case for the offence
registered under Sections 302, 386/34 of the I.P.C. and 27 of the
Arms Act.

The prosecution story, in brief, is that on 29.12.2019



at about 8.30 A.M., when the brother of the informant was on his clothes and jewellery shop, co-accused Nitya Nand Singh and Ravi Singh came and fired on his chest and fled away on their Motorcycle. Other three unknown persons were also standing out side of the shop. The informant raised hulla and took his brother to Sadar Hospital, Ara, in injured condition and from there he was referred to Patna and during the treatment he died in Paras Hospital. When his injured brother was carrying at Sadar Hospital, Ara, co-accused Nitya Nand Singh also demanded Rs. 1,00,000/- from the informant as ransom through his Mobile No. 7079017570 and threatened him that if the money will not be paid he would also be killed.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 05.03.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The specific allegation of assault is alleged against co-accused Nityanand Singh and Ravi Singh. The name of the petitioner has transpired in the present case, in course of investigation. No specific overt act is alleged against the petitioner. No any



specific injury is attributed against the petitioner.

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

Considering the facts and circumstances of the case, the petitioner above named, is directed to 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 the learned C.J.M. Bhojpur at Ara, in connection with Barhara P.S. Case No. 468 of 2019.

(Sudhir Singh, J)

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