

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80413 of 2019**

Arising Out of PS. Case No.-690 Year-2019 Thana- PATRAKARNAGAR District- Patna

CHOTI KUMAR @ KUNDAN @ KUNDAN KUMAR @ CHHOTE Son of
Ashok Sah Resident of Mohalla Sanjay Nagar, Jakkanpur, Road No. 4, P.S.-
Jakkanpur, District - Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 19-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in brief is that husband of the
informant was shot at by the accused persons. The husband of
the informant having sustained fire-arm injury, was taken to
hospital where he died in course of treatment.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 10-09-2019. Charge sheet has
already been submitted. The main allegation is against co-



accused Dabloo and Babloo who are alleged to have fired upon the deceased. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above 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 learned Additional Chief Judicial Magistrate-VIII, Patna in connection with Patrakarnagar P.S. Case No. 690 of 2019.

(Sudhir Singh, J)

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