

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86928 of 2019

Arising Out of PS. Case No.-60 Year-2017 Thana- PHULWARIA District- Begusarai

CHHOTI KUMAR @ CHHOTU @ GAUTAM, Male, aged about 20 years,
Son of Late Shankar Mahto Resident of Village - Kairiwari, Near Hanuman
Sthan, Phulwaria, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 387, 307,
34 of the Indian Penal Code and Section 3/4 of Explosive
Substance Act.

Informant has alleged that he is munshi in the shop
of Sitaram Poddar for the last one year. On 18.05.2017 as usual
he was sitting in the shop then all of sudden huge sound of
crackers was heard near his godown and godown was full of



smoke. The informant sustained injury. It is further alleged that his owner stated earlier that Rajeev Yadav, Parsuram Mahto and 5-6 unknown persons have demanded rangdari from him.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. On the confessional statement of co-accused Rajeev Yadav, the name of petitioner has surfaced in this case. Petitioner is in custody since 17.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Phulwaria P.S. Case No. 60 of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will



be at liberty to move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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