

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39839 of 2020

Arising Out of PS. Case No.-332 Year-2019 Thana- DELHA District- Gaya

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Bittu Chaudhary @ Bittu Kumar Chaudhary Son of Baban Choudhari
Resident of Village - Badki Delha, Police Station - Delha, District – Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 307 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner alongwith other
accused persons is said to have fired upon the informant with
pistol with an intent to kill him and in due course of treatment
he died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that there is no fire-arm injury and the
victim died after 70 days. The postmortem shows that no bullet
or its part could be seen in the body of deceased. The petitioner
is in jail custody since 16.03.2020. The petitioner has no



criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition and submit that petitioner is not only named accused in the FIR, he is the main assailant who made fired upon the deceased.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Delha P.S. Case No. 332/2019 from the Court of learned Judicial Magistrate, Gaya.

Accordingly, this application is dismissed.

However, the petitioner would be at liberty to renew his prayer for bail after six months.

(Anjani Kumar Sharan, J)

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