

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44470 of 2021

Arising Out of PS. Case No.-725 Year-2020 Thana- TURKAULIYA District- East
Champaran

=====

CHHOTU SAH @ CHATU KUMAR S/o Motilal Sah R/o village-
Raghunathpur, P.S.- Turkauliya (Raghunathpur O.P.), District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Rajendra Nath Jha

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-01-2022 The present petition has been taken up for

consideration through the mode of Video conferencing in view

of the prevailing situation on account of COVID 19 Pandemic,

requiring social distancing.

Heard learned counsel for the petitioner, Sri Rakesh
Kumar No. I, learned counsel for the informant Sri Vijay
Shankar Srivastava and learned APP Sri Rajendra Nath Jha for
the State.

Petitioner seeks bail in connection with Turkauliya
(Banjariya) P.S. Case no. 725 of 2020 registered for the offence
punishable under sections 302, 120B and 34 of the Indian Penal
Code read with section 27 of the Arms Act.

Learned counsel for the petitioner submits that



petitioner is in custody since 26.11.2020 and charge sheet has been submitted and the informant in the FIR alleges that he along with his brother and others had gone for morning walk when four unknown accused persons on two motorcycles intercepted and his brother was shot. Learned counsel submits that FIR was against unknown and name of the petitioner surfaced in the confessional statement of co-accused Sahid Raja and during course of investigation, it has come that the petitioner was identified by CCTV footage and he had confessed his guilt also before the police. Learned counsel submits that as far as identification by CCTV footage is concerned, in the said there is no evidence to show that the petitioner was seen committing the crime whereas he was going to college. It is further submitted that co-accused Munna Singh has been granted bail by order dated 4.1.2022 in Cr. Misc. no. 34372/2021.

Learned counsel for the informant opposes the bail application and submits that this petitioner has antecedent also as mentioned in para 3 of the bail application.

Learned APP opposes the prayer for bail also.

Considering the facts that petitioner is in jail custody, charge sheet has been submitted and co-accused has been



granted bail, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge IV, Motihari, East Champaran in Sessions trial no. 245/2021 arising out of Turkauliya (Banjariya) P.S. Case no. 725 of 2020 with condition that one of the bailers shall be father of the petitioner and in the event, petitioner on two consecutive dates does not appear in trial, the learned court below will forthwith cancel his bail bonds.

(Satyavrat Verma, J)

s.hassan/-

U		T	
---	--	---	--

