

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48212 of 2021**

Arising Out of PS. Case No.-135 Year-2020 Thana- GHOSWARI District- Patna

CHOTELAL GUPTA S/o Late Arjun Sao R/o Buchhi,P.S.- Nardiganj, Distt-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 26-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 265/2021 arising out of Ghoswari P.S. Case
No. 135/2020 registered for the offences punishable under
Sections 341, 323, 452, 307, 504, 506/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is
that the petitioner has allegedly shot the father of the informant
in his leg.

Learned counsel for the petitioner submits that the
petitioner is the son-in-law of the victim and informant of this
case happens to be the wife of the petitioner. Learned counsel
further submits that there was family dispute between the



petitioner and the informant, due to which, he has been implicated in this case. He also submits that during course of investigation the statement of the victim i.e. father-in-law of the petitioner was recorded in which he has not supported the prosecution case. He next submits that the petitioner is in custody since 22.11.2020 and charge sheet has already been submitted.

On the other hand, Mr. Durgesh Nandan Singh, learned counsel appearing for the informant vehemently opposed the prayer for bail and submits that the petitioner has got criminal antecedent and there is apprehension that after release on bail he may influence the witnesses and threaten the informant and victim.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that that the petitioner is in custody since 22.11.2020, charge sheet has already been submitted and the father-in-law of the petitioner i.e. victim has not supported the prosecution story during course of investigation, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/-



(Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 4th, Barh, in connection with Sessions Trial No. 265/2021 arising out of Ghoswari P.S. Case No.135/2020 subject to the following conditions:-

(i) that petitioner shall cooperate in the trial and shall be properly represented on each and every dated fixed by the court and shall remain physically present, as directed by the court below and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below.

(ii) that the petitioner will not threaten the informant and her family members and he shall not commit any offence similar to the offence in which he is an accused.

(iii) that if the petitioner tampers with the evidence or the witnesses, in that event, the prosecution will be at liberty to move for cancellation of bail.

(Anil Kumar Sinha, J)

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