

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60811 of 2021**

Arising Out of PS. Case No.-208 Year-2020 Thana- NAYA RAM NAGAR District- Munger

CHHOTU SINGH @ PURUSOTTAM SINGH S/o Bhim Singh Resident of
Village- Halimpur, P.S.- Naya Ram Nagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 31-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Naya Ram Nagar P.S. Case No. 208/2020, registered for the offence punishable under Sections 302, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons and the son of the informant having gone for picnic, however, it appears that altercation had taken place amongst them. It is the further allegation of the informant that upon instigation of the co-accused person, namely, Randhir



Paswan, the co-accused person, namely, Pawan Paswan, had fired gunshot from his country made pistol on the temple of the son of the informant resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 15.4.2021. The learned counsel for the petitioner has referred to the postmortem report of the deceased, which has been annexed as Annexure-2 to the present petition to show that there is only one wound of entry & exit of bullet, which is admittedly attributable to the co-accused person, namely, Pawan Paswan, hence, the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the fact that the main assailant is the co-accused person, namely, Pawan Paswan, who is stated to have fired gunshot on the deceased, which also stands corroborated from the postmortem report, apart from the fact that the petitioner has not been alleged to have engaged in any sort of overt act, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Munger in connection with Naya Ram Nagar (Safia Sarai) P.S. Case No. 208/2020.

(Mohit Kumar Shah, J)

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