

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61012 of 2021

Arising Out of PS. Case No.-482 Year-2016 Thana- BEGUSARAI MUFFASIL District- Begusarai

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Chhotoo Kumar @ Chhotu Kumar Son of Sri Birendra Mahto Resident of
Village- Baghi, P.S.- Town @ Nagar, District- Begusrai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks anticipatory bail in connection with Begusarai Muffassil P.S. case no. 482 of 2016, registered for the offences punishable under Section 302, 379/34 of the Indian Penal Code and section 27 of the Arms Act.

Allegedly co-accused Manu Singh alongwith his eight associates came at the godown of the informant and the said co-accused caused fire arm injury at the head of informant's younger brother who later on died.

The main submissions advanced by learned counsel for the petitioner are that this petitioner has been made accused in this case merely on the basis of suspicion due to village politics while the petitioner was completely unaware of the alleged occurrence and when the notice of proclamation was issued and affixed on his



house for getting his appearance by the court concerned then he became aware of the present case and during the course of investigation the police investigated the case on the basis of mobile location of the accused persons including the petitioner but the petitioners' role was not found in the alleged crime in the said scientific investigation.

Learned APP has opposed the prayer for bail and submits that the petitioner's involvement in the alleged crime has come out in the statement of co-accused and the case is under investigation.

Heard both the sides and perused the FIR of this case. The present case relates to murder of informant's younger brother who was killed in a planned manner as reflects from the FIR and eight persons are stated to be associates of the main accused and as per the prosecution the name of petitioner has surfaced in the statement of co-accused persons as being involved in the alleged crime and the case is under investigation.

Considering all the above facts as well as seriousness of the occurrence in my view at this stage the petitioner does not deserve anticipatory bail, accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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