

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8300 of 2020

Arising Out of PS. Case No.-607 Year-2019 Thana- ARA NAGAR District- Bhojpur

CHHOTU @ MD. CHHOTU @ SAHMAD KHA @ SAHZAD KHAN Son
of Md. Wasi Resident of Mohalla - Nazirganj, P.S. - Ara Town, District -
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-02-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 302/34 of the Indian
Penal Code and 27 of Arms Act.

As per the allegation, the petitioner alongwith other co-
accused persons stopped the motorcycle of the informant and
encircled him and his brother. Md. Sohail hit his brother on the
left side of his head from point blank range due to which his
brother died on the spot.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The specific



allegation is against the co-accused Md. Sohail to assault the brother of the informant due to which he died. He further submits that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2022 passed in Cr. Misc. No.17617 of 2020. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Ara Town P.S. Case No.607 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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