

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36729 of 2023

Arising Out of PS. Case No.-27 Year-2020 Thana- VISHAMBHARPUR District- Gopalganj

CHHOTE LAL SINGH @ CHHOTE LAL KUSHWAHA S/O LATE
BACHCHA SINGH R/O Vill. Chitauna, PS. Kateya, Dist. Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 342, 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the accused persons including the petitioner is that they have committed murder of the informant's husband by causing firearm injuries while he was returning from market along with informant/wife.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been



implicated in the present case merely on suspicion. There is no any specific allegation against the petitioner but his name transpired in this case during investigation on the basis of his self confessional statement before the police, which has no evidentiary value in the eye of law and except that nothing has come against him which shows his complicity in this case. The specific allegation attributed against co-accused Manish Kushwaha and Pappu Kushwaha who armed with carbine and pistol fired upon the deceased due to which died. The other co-accused namely, Pappu Kishwaha @ Pappu Kumar Kushwaha has already been enlarged on bail by another coordinate Bench of this Court vide order dated 29.03.2023 passed in Cr. Misc. No.70018 of 2022. It is also submitted that petitioner is languishing in judicial custody since 01.03.2021.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sessions Trial No. 347 of 2022 arising out of Vishambharpur P.S. Case No. 27 of 2020 on



furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Xth Additional Sessions Judge, Gopalganj(Bihar).

(Sunil Kumar Panwar, J)

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