

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42936 of 2023

Arising Out of PS. Case No.-670 Year-2019 Thana- MUFFASIL District- West Champaran

Chhotu Khan @ Kaliya Son Of Late Abdul Miyan @ Late Abdul Khan
Resident Of Village- Durga Nagar, New Bus Stand, Bettiah, Ward No 38, Ps-
Bettiah Town, District- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 201,
120B/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that
the petitioner was indulged in hatching conspiracy to kill her
son & nephew by slitting their throats with sharp cut weapon.
The informant raised suspicion against FIR named accused
person who assaulted the informant earlier to the occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR. His name transpired in this



case on the basis of confessional statement of co-accused Raja Kumar which is at para-83 of the case diary, who stated therein that co-accused Pintu, Arun, Manjit and one unknown person killed the informant's son and nephew. Except confession of the co-accused, no any consistent evidence has come against the petitioner. No one is eye witness of the alleged incident. It is further submitted that the petitioner is languishing in judicial custody since 21.9.2020.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Bettiah Muffasil P.S. Case No. 670 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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