

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47273 of 2023

Arising Out of PS. Case No.-368 Year-2021 Thana- KATEYA District- Gopalganj

PINTU CHAUHAN S/O RAJMANGAL MAHATO @ RAJMANGAL
CHAUHAN R/O Village- Chhitawna, P.S- Kateya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Shukla

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Kateya P.S Case No. 368 of 2021 dated 12.10.2021 registered for the offence punishable under Sections 394 and 302 read with 34 of the Indian Penal Code.

4. As per the prosecution case, on 11.10.2022 at about 01:30 pm, three persons on a TVS Apache bike came at *gumti* where the informant's brother Mantu Yadav was selling petrol



and diesel and they forcibly took away five litres of petrol. In the course of chasing, one of the accused persons shot fire on the brother of the informant. On hearing the sound of firing, the villagers assembled and took him to hospital where the doctor declared him dead.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the statement of the witness Laxman Yadav. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 24.05.2023 passed in Cr. Misc. No. 26901 of 2023. The petitioner is accused in 10 other criminal cases out of which he is on bail in 7 other cases as stated in para 3 of the bail petition. The petitioner is in custody since 19.12.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Gopalganj in connection with Kateya P.S Case No. 368 of 2021, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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