

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56958 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- KAHALGAON District- Bhagalpur

Chhotu Kumar @ Nirdosh Kumar Son Of Banshraj Singh Resident Of
Village- Hardayal Nagar Banni, Ps- Mahesh Khunt, Distt- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 397, 398, 307, 427, of the Indian Penal Code and Section 25(1-b)a, 27, 26, 35 of the Arms Act.

As per prosecution case, the allegation against five unknown miscreants is that they entered in the bank and after assaulted upon a bank clerk, namely, Gaurau Kumar with intent to kill him. It is further alleged that shoes of two accused persons, a loaded magazine, and a cover of fired bullet have been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of confessional statement of co-accused. The petitioner is not named in the FIR and no specific allegation of shot firing levelled against him. It is further submitted that except suspicion no consistent material has come out against the petitioner. Moreover, he is languishing in judicial custody since 09.06.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kahalgaon P.S. Case No. 155 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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