

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71676 of 2022

Arising Out of PS. Case No.-237 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

CHHOTU KUMAR SINGH Son of Ram Naresh Singh R/V- Mahadev Bigha,
(Rauna) P.S- Belaganj, Dist- Gaya Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-04-2023 Heard the parties.

The petitioner apprehends his arrest in connection with M.M.C.H. P.S. Case No.237 of 2021, registered for the offence punishable u/s 325, 341, 307, 120(B)/34 of the IPC and section 27 of the Arms Act.

Allegedly, 3 unknown miscreants came to the informant and two of them began firing, due to which one shot hit the right thigh of the informant and thereafter, they started indiscriminate firing on Satendra Singh.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He is not named in the F.I.R. and has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not



specific rather general and omnibus in nature. The statement of the injured was recorded by the police, in which he has not taken the name of petitioner. One of the co-accused, in his confessional statement disclosed name of 28 persons but did not take the name of petitioner. Later on, the name of petitioner was dragged in this case as an extra judicial disclosure made by the co-accused wherein it has come that petitioner is the brother of accused Sonu Singh but it has not been alleged that he was involved in killing. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, statement of the witnesses and the case-diary, I do not find it a fit case for grant of anticipatory bail to the petitioner. The prayer for bail on his behalf is accordingly rejected.

However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and the learned Court below would pass order, preferably on the same day, in accordance with law.

This application stands dismissed.

(Anjani Kumar Sharan, J)

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