

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70337 of 2023

Arising Out of PS. Case No.-311 Year-2023 Thana- RUPASPUR District- Patna

CHHOTAN KUMAR @ CHHOTAN SINGH SON OF DAMODAR
PRASAD VARMA R/O VILL- SAMSARA, SADISOPUR, PS -BIHTA,
DIST -PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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, 120B/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. As per prosecution case, it is alleged that the petitioner is indulged in hatching conspiracy to kill the informant's son by shot fire in connivance with other accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Earlier to the occurrence, the petitioner is said to have



threatened the deceased and on the basis of which, this petitioner has falsely been implicated in this case. It is also submitted that the bail petition of one Mamta annexed as Annexure-P/2 in which, it is mentioned that this petitioner had confessed that co-accused Golu and Harsh @Sunny Kumar have fired upon the victim. No one is eye witness of the alleged occurrence. Nothing consistent evidence has brought on record against the petitioner. Moreover, he is languishing in judicial custody since 11.6.2023. Moreover, similarly situated co-accused namely, Mamta has already been granted bail by a co-ordinate Bench of this Court vide order dt 11.8.2023 passed in Cr. Misc. No.47596 of 2023.

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 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 Rupaspur P.S. Case No. 311 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 Additional Sessions Judge-II,
Danapur, Patna.

(Sunil Kumar Panwar, J)

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