

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70518 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Chhotu Kumar @ Chhote Kushwaha @ Uttam Kumar @ Chhoti Kushwah
Son of Ravindra Kushwaha @ Ravindra Mahato Resident of village
-Dalsagar, PS- Buxar Industrial, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Buxar Industrial P.S. Case No. 175 of 2024 instituted for the offences under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that this petitioner along with other co-accused persons came at the door of the informant and called him. It is further alleged that this petitioner fired upon the informant.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that during investigation, the informant as well as his daughter have contradicted the



allegation as levelled in the FIR. Learned counsel further submitted that from perusal of the injury report it is evident that no bullet injury has been caused to the informant. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.08.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and also the fact that no bullet injury is caused to the informant contrary to the allegation as levelled in the FIR as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar Industrial P.S. Case No. 175 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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