

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78227 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Chhotu Kumar, Son Of Bhola Manjhi, Resident Of Village - Adarshnagar,
Jhhichho Pokhar, P.S. - Sultanganj, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S. Tr. No. 400/2023(arising out of Sultanganj P.S. Case No. 493
of 2022), lodged on 19.12.2022 under Sections 302, 201, 120B
and 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the present petitioner along with one other co-
accused alleging therein that they have killed the brother of the
informant and subsequently burnt his dead body.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner has been roped in the present case under a conspiracy.
The petitioner is in custody since 21.12.2022 having clean



antecedent. Moreover, co-accused Chhotu Kumar has been granted bail by this Court vide order dated 17.10.2023 passed in Criminal Miscellaneous No. 67200/2023 and the chargesheet has already been filed in this case.

5. Learned counsel for the State opposes the prayer for bail and submits that case diary has been called for in this case. In the case diary, the accused persons have admitted that they all in connivance with each other have killed the deceased and burnt his dead body. The post-mortem report also supports the killing and status of the dead body as mentioned in the confessional statement.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with S. Tr. No. 400/2023(arising out of Sultanganj P.S. Case No. 493 of 2022), pending before the learned Additional District and Sessions Judge-XVI, Bhagalpur is hereby rejected.

(Dr. Anshuman, J)

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