

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7124 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- NASRIGANJ District- Rohtas

Chhotu Ram S/o Late Shyamsundra Ram R/o Vill.- Sahpur, P.S.- Sasaram
(M), Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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

ORAL ORDER

3 06-05-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Nasriganj P.S. Case No. 210 of 2024 instituted for the offence
under Sections 302, 120(B) & 34 of the Indian Penal Code and
Sections 25(1-B)a, 26, 35 & 27 of the Arms Act.

3. The prosecution case, as emanates from the FIR, is
that all the named accused persons, including the petitioner,
threatened the informant and his brother, namely, Atul Kumar
(deceased) of killing them. It is alleged that on the fateful day
i.e. on 29-06-2024, while the brother of the informant was
returning from the Gym, he was shot dead. The accusation
against the accused persons including the petitioner and 3-4



unknown miscreants is of committing murder of the Informant's brother.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13-07-2024. Petitioner bears nine criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced in course of investigation. It is next submitted that informant has not seen the alleged occurrence and only on mere suspicion, petitioner has been made accused in this case and there is no eye witness to the alleged occurrence. So far as allegation of threatening the deceased and informant is concerned, no case was lodged in this regard. There is general and omnibus allegation levelled against the petitioner. It is lastly submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph No. 136 of the case diary, it is submitted that petitioner has himself confessed that he has fired upon the



deceased. It is lastly submitted that bail of co-accused, namely, Gandhi Chaudhary has been rejected by this Court vide order dated 10-12-2024, passed in Cr. Misc. No. 76498 of 2024.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence and there being enough material available in the case diary against the petitioner as also keeping in view the nine criminal antecedents of the petitioner, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer is accordingly *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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