

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69870 of 2024

Arising Out of PS. Case No.-511 Year-2022 Thana- GAYA KOTWALI District- Gaya

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Gaurav @ Chhotu @ Ankit Kumar, aged about 20 years, Male, Son of
Subodh Singh @ Subodh Kumar Singh, Resident of Mohalla- Rana Nagar
Manpur P.S.- Muffasil District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 31-01-2025 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 an offence punishable under Sections 302, 147,
148 and 149 of the Indian Penal Code and Section 27 of the
Arms Act.

3. According to prosecution case, the petitioner along
with other co-accused persons kill the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. He next
submits that there is general and omnibus allegation against the
petitioner and he has been implicated in this case only on the
basis of CCTV footage. He next submits that there is no Test



Identification Parade against the petitioner and no any FSL report conducted till date to show the involvement of the petitioner in this case. He next submits that similarly situated co-accused persons have already been granted regular bail by different Benches of this Court. Petitioner is in custody since 16.07.2024.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-III, Gaya dated 23.08.2024, it appears that on the basis of written report of the informant, FIR has been lodged under Sections 302, 147, 148 and 149 of the Indian Penal Code and Section 27 of the Arms Act against 10 named and 3-4 unknown persons. It also appears that Lalli @ Samrat Abhishek Kumar has been named in the FIR and Gaurav @ Chhotu @ Ankit Kumar is not named in the FIR and his name surfaced in this case only on the basis of CCTV footage and similarly situated co-accused persons namely Rohit Kumar @ Rohit @ Maut, Golu Kumar @ Rohit Kumar, Mayank Kumar, Abhishek Kumar and Md Jakir @ Monty have been granted bail by this Court and a Bench of this Court in Cr. Misc. Nos. 34778 of 2023, 32662 of 2023, 33331 of 2023, 8590 of



2023 and 35450 of 2024 vide orders dated 07.07.2023, 26.07.2023, 09.05.2023 and 21.05.2024 respectively, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 511 of 2022, subject to the condition that one of the bailors should be a close relative of the petitioner.

(Ramesh Chand Malviya, J)

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