

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76880 of 2024**

Arising Out of PS. Case No.-202 Year-2024 Thana- GAURICHAK District- Patna

Chhotu Kumar @ Chotu Kumar Son of Jhauri Singh @ Jhauri Yadav Resident  
of Village- Bhagwanpur, Devershaukhi, P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 87363 of 2024**

Arising Out of PS. Case No.-202 Year-2024 Thana- GAURICHAK District- Patna

Nitish Kumar S/O Mishri kewat @ Chandreshwar Singh R/O Village-  
Sampatchak, Police Station- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 76880 of 2024)  
For the Petitioner/s : Mr. Rudra Deo  
For the Opposite Party/s : Mr. Narendra Kumar Singh  
(In CRIMINAL MISCELLANEOUS No. 87363 of 2024)  
For the Petitioner/s : Mr. Vishwa Ranjan Choudhary  
For the Opposite Party/s : Mr. Raj Kishor Singh

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

4      27-01-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners have prayed for grant of bail in  
connection with Gaurichak P.S. Case No. 202 of 2024 registered  
under sections 302/34 of the Indian Penal Code and section 27  
of the Arms Act.

3. As per allegation in the FIR, the son of the



informant was called by Ram Kumar, Madan Kumar and Vimlesh Singh for having a talk regarding the cases pending between them. As the son of the informant started departing to the place, the informant also went behind him on a tempo as he reached near Azimchak he found that 10-12 persons have surrounded the son of the informant and were having talk with him. The son of the informant was trying to go from there meanwhile Madan Kumar fired with his pistol on the head of the informant son after this, Ram Kumar also fired a bullet in the head of the informant son and third fire was made by Vimlesh Singh, the son of the informant fell down there. When the informant was going to rescue, Kundan Kumar, Amit Kumar caught him and told that your son has been killed and you will also be killed. After this informant raised alarm and accused persons fled away. The name of the petitioners Nitish and Chhotu was not initially there in the F.I.R. Nitish Kumar was apprehended and he has given his confessional statement. In his confessional statement he has stated that Nitish Kumar called Chhotu for settlement of his cases with the deceased. Even in the confessional statement, Nitish Kumar not stated any role of the himself or Chhotu Kumar.

4. During course of hearing, learned counsel for the



petitioners have pointed out that the informant had filed the Protest Petition before the trial court wherein he has stated that the police in connivance with the accused persons and has wrongfully arrested the innocent person and has deviated the investigation. It is further stated that Nitish Kumar has wrongly been arrested and story has been created. Petitioner namely Chhotu Kumar is in custody since 22.05.2024 and petitioner Nitish Kumar is in custody since 07.05.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of this case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Gaurichak P.S. Case No. 202 of 2024, on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 6, Patna City.

**(Ashok Kumar Pandey, J)**

Ranjeet/-

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