

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22034 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- BIHIA District- Bhojpur

Chhotu Singh @ Chandan Kumar Singh @ Priyanshu Singh S/O Binod Singh
Resident of village- Kauriya, PS- Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the State : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-07-2025 Heard the parties.

2. Learned counsel for the petitioner Mr. Raju Kumar Singh at the outset submits that the content in the petition does not match with the original F.I.R. and for this fault, he on his own want to contribute some books in the Lawyer's Association to which he is a member worth Rs.500/- and the receipt shall be filed in the Court.

3. The petitioner is apprehending his arrest in connection with Bihiya P.S. Case No. 181 of 2024 for the offence under Sections 341, 323, 504, 448, 307 and 379 of the Indian Penal Code and section 27 of the Arms Act, lodged on 22.06.2024 by the informant, Harimohan Singh.

4. As per the F.I.R., Vinod Singh, Chhotu Singh (petitioner herein) and Vijay Singh armed variously entered and



thereafter allegation is that Vijay Singh opened fire and there is omnibus allegation of assault to Tunna Singh by all of them. Further, Shivam Singh assaulted Ashu Singh on his head which actually hit his left hand causing fracture, Golu and Radhika Devi were also assaulted and there is allegation of taking away Rs.25,000/-. Later, they were shifted to Primary Health Centre, Bihiya and then to Ara Hospital. This led to the F.I.R.

5. Learned counsel for the petitioner submits that he has no criminal antecedent, is a student of S.T.S.M. College, Panwari, Bhojpur under Veer Kunwar Singh University, Ara, Bihar, omnibus allegation is there, main role of assault is on Vijay Singh and Shivam Singh and only to implicate, his name has been dragged.

6. Learned APP opposes the prayer for bail submitting that though omnibus, allegation of assault is also on this petitioner.

7. Taking into account the aforesaid facts as also that allegation mainly is against Vijay Singh and Shivam Singh, omnibus allegation is against him, is a young B.A. student of which Marksheet has been provided (let the same be kept on record), has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.



8. However if it is found that contrary to the submissions/incorporation in the petition, the petitioner has criminal antecedent, the present order shall become infructuous.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bhojpur at Ara, in connection with Bihiya P.S. Case No. 181 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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