

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26017 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

Chhotelal Bishwash @ Chhotelal Kamat S/o Late Sitaram Kamat Resident of
Village-Sonbarsa Raj, Ward No-06, Hanuman Tola , Police Station- Sonbarsa
Raj, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate

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

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

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonbarsa Raj P.S. Case No. 222 of 2024 instituted for the
offences under Sections 126(2), 115(2), 121(1), 132, 262, 263,
62, 352, 3(5) of the BNS.

3. Prosecution case, in short, is that, police, in order to
arrest the primary accused (petitioner herein) in Sonbarasa Raj
P.S. Case No. 217 of 2024, reached near the house of this
petitioner and, in the meantime, the accused persons including
this petitioner came and started misbehaving with the police
personnel. It is further alleged that the accused persons, 10-12 in
number, started abusing the police personnel and tried to free



the accused by snatching the rifle of the constable.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the accused persons. No specific overt act is alleged against the petitioner. Learned counsel further submitted that no any injury has been caused to any of the police personnel. Learned counsel further contended that there is no allegation of assaulting the police force by the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.01.2025 and has five criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the petitioner of causing any grievous hurt to the police party as also the period of custody undergone by him, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sonbarsa Raj P.S.
Case No. 222 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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