

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28897 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- SAHARGHAT District- Madhubani

Chhotu Kumar S/o Bindeshwar Mukhiya @ Vindeshwar Mukhiya R/o
Village- Nagwas, P.S.- Arer, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gagandeo Yadav, Advocate
	Mr. Ravi Prakash, Advocate
	Mr. Udeshya Kumar Yadav, Advocate
For the Opposite Party/s :	Mrs. Anita Kumari, APP

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

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Saharghat P.S. Case No. 05 of 2025, instituted for the offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, four unknown persons intercepted the informant and on the point of pistol looted his mobile phone and motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. No any looted articles have been recovered from the possession of the petitioner. It is further submitted that the looted articles have been recovered from the possession of co-accused, namely, Gautam Kumar. The petitioner is in custody since 13.01.2025 and has got two criminal antecedents in which he is on bail.

5. Learned APP 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 and taking into account the period of custody undergone by the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saharghat P.S. Case No. 05 of 2025, 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)

Rajorshi/-

U		T	
---	--	---	--

