

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35684 of 2025

Arising Out of PS. Case No.-760 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Chhotu Kumar @ Chotu Kumar S/O Ganesh Das R/O Village- Chak Baladhri
(Bishunpur Baldhari), P.S- Sadar Hajipur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Kumar, Advocate

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

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

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Vaishali Sadar P.S. Case No. 760 of 2023 instituted for the offences under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that, on the alleged date and time of occurrence, two unidentified assailants entered the house and shot the informant's husband in the head while he was asleep, leading to his death.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to family grudge. Petitioner is not named in the



F.I.R. The name of the petitioner transpired in this case on the basis of disclosure made by the co-accused person Prabhat Kumar. Except the confessional statement, there is no material against the petitioner. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

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, nature and gravity of offence, in my view, this is not a fit case for anticipatory bail, and hence, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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