

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40102 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- NAVINAGAR District- Aurangabad

Chhotan Kumar S/o Late Vinay Singh R/o Village- Kudwa, P.S.- Narai Kala
Khurd, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Nabinagar P.S. Case No. 73 of 2025 instituted for the offence under Sections 308(3), 308(4), 308(5), 351(3) of the Bharatiya Nyaya Sanhita, 2023, Section 13 of the Unlawful Activities Act and Section 18, 30 of the Unlawful Activities Ordinance Act.

3. Prosecution case is that 10-12 persons handed over a letter to the security staff which was purported to be of a Communist party *Maowadi*. A mobile number was also given in that letter on which, the party was to be conducted before starting the work.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 24-03-2025. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has surfaced in this case as a mobile was recovered from his possession and it is alleged that from his mobile, there was evidence of communication with the alleged mobile in the FIR. Learned counsel for the petitioner submits that in this case no TIP has been conducted. The mobile which has been recovered from the petitioner's possession is not that mobile number which is given in the FIR. Only allegation is that the petitioner had talked with the alleged mobile. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 19-05-2025, passed in Cr. Misc. No. 29216 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Nabinagar P.S. Case No. 73 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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