

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55853 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- FORBESGANJ District- Araria

Chhotu @ Md. Chhotu @ Ekbal S/O Md. Nuro R/O Vill.- Rampur North,
Ward No.- 11, P.S.- Forbesganj, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP
For the Informant	:	Mr. Mukesh Kumar Rana, Adv.
		Mr. Sanjay Kumar Singh, Adv.

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

ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Forbesganj P.S. Case No. 178 of 2025 instituted for the offences under Sections 126(2), 115(2), 118(2), 109, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and further, Section 103 of the BNS was added.

3. Prosecution case, in short, is that all the accused persons including the petitioner assaulted the son of the informant due to which he sustained injuries, and later on, died.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. The petitioner was only the member of the unlawful assembly and nothing else. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of assault is against co-accused Md. Rizwan. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2025 having no criminal antecedent.

5. Learned counsel for the petitioners again submits that the co-accused namely Rukshana Khatoon has been granted bail by this Court vide order dated 18.08.2025 passed in Cr. Misc. No. 53508 of 2025.

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

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the petitioner having no direct allegation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Forbesganj P.S. Case
No. 178 of 2025.

(Rudra Prakash Mishra, J)

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