

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59637 of 2025**

Arising Out of PS. Case No.-377 Year-2024 Thana- HISUWA District- Nawada

Chhotu @ Jitendra Kumar @ Chhotu Kumar S/o Shaligram Singh R/o  
Village- Latawar, P.S.- Hisua, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      23-09-2025                      Heard learned counsel for the parties.

2. Petitioner prays for grant of anticipatory bail in connection with Hisua P.S.Case no. 377 of 2024 registered for the offence punishable under sections 303(2), 317(2), 318(4), 336(3) & 111 of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on information having been received, it is stated by the informant that a search was conducted and two Hyvas and a truck were found loaded with sand. On asking for challan the same were produced, the details of which have been given in the FIR. Informant further states that some of the accused persons were taken into custody. Further on going through the whatsapp in the mobile phone of one of the operators, a list containing names of several accused persons were found who were involved in illegal mining of sand. Said list indicated name of the petitioner.

4. Learned counsel for petitioner submits that from the contents of the FIR itself it would transpire that no incriminating article has been recovered from the conscious possession of the petitioner. He has been falsely implicated in



the case only on the ground that his name was found in a list in the mobile phone of one of the accused. Co-accused, with similar allegation, have already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 46404 of 2025. The cause of false implication of the petitioner is his antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Having heard learned counsel for the parties and taking into consideration nature of allegation, and the fact that no incriminating article having been recovered from the petitioner's possession and co-accused, with similar allegation, have already been allowed pre-arrest bail, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, be released on anticipatory bail in connection with Hisua P.S.Case no. 377 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Nawada, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Shashi

**(Prabhat Kumar Singh, J)**

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