

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75475 of 2025

Arising Out of PS. Case No.-519 Year-2024 Thana- PAHARPUR District- East Champaran

Chhotan Singh @ Chhotan Kumar S/o Bir Bahadur Singh Resident of
Village- Hemantpur, Tikuliya, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the State : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Dhurendra Kumar, learned counsel for

the petitioner and Mr. Umesh Lal Verma, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Paharpur P.S. Case No. 519 of 2024, F.I.R.
dated 20.11.2024 registered for the offences punishable under
Sections 111/317(3)317(5)/61(2) of B.N.S. and Sections
25(1-b) a/26/35 of the Arms Act.

3. Allegation against the petitioner is that he cut the
electric wire from electric pole.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that the apprehended co-accused persons have informed the police that on the instance of the petitioner they have cut the electric wire from electric pole. Learned counsel for the petitioner submits that except the disclosure/confessional statement of co-accused person, the name of the petitioner has been transpired in the present case and except the confessional statement of apprehended co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and apart from the aforesaid, the recovery has been made from the Bolero vehicle and Pick-up Van but the owner of the same is one Mahmud Ansari and Ali Ahmad and petitioner has no concern at all with the alleged recovery of electric wire or the apprehended co-accused person and due to some village politics, the petitioner has been falsely implicated in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner .

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and except the disclosure made by apprehended co-accused person,



no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 519 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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