

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81343 of 2025

Arising Out of PS. Case No.-172 Year-2025 Thana- PANCHRUKHI District- Siwan

Chhatu Kumar @ Chhatu Sah S/o- Late Gaya Sah @ Gaya Sah @ Rajeshwar
Sah @ Bhangur R/v- Chanp Tole Teghara PS- Sahayak Sarai Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Panchrukhi (Sarai) P.S. Case No. 172 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 109, 324(3), 303(2), 74, 352, 351(2), 3(5) of B.N.S. and later on, Section 103(1) of B.N.S. was also added.

3. As per prosecution case, the petitioner and 10 other co-accused persons armed with weapons and making unlawful assembly entered into the house of the informant. Co-accused Vicky Kumar assaulted one Buchun Sah with knife and another co-accused Deepu gave *Tangi* blow also to Buchun Sah, who became unconscious. These two co-accused tore the clothes of the minor daughter of the informant and put her down. Other



persons also stabbed and assaulted with rod. They also assaulted a number of persons causing a number of injuries to them. Later on, Buchun Sah succumbed to his injuries in course of treatment.

4. Learned counsel for the petitioner submits that there is no allegation of any specific overt act against the petitioner. Learned counsel further submits that there is no allegation against the petitioner for causing any injury to the deceased for which specific allegation is against co-accused Vicky Kumar and Deepu. Similarly placed co-accused Chhotu Kumar and Rajesh Singh have been granted bail by Co-ordinate Bench and also by this Court vide orders dated 19.08.2025 and 19.11.2025 passed in Cr. Misc. Nos. 56551 of 2025 and 72658 of 2025, respectively. The petitioner is having antecedent of one case in which he has been acquitted. The petitioner is in custody since 15.04.2025 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no allegation of any specific overt act against the petitioner and further considering the period of custody of



the petitioner and submission of charge sheet, the petitioner above named is directed to 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 learned A.C.J.M. - IXth, Siwan/concerned Court in connection with Panchrukhi (Sarai) P.S. Case No. 172 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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