

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82618 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- Benta District- Darbhanga

Chhotu @ Dutta @ Chhotu Kumar Singh S/o- Ghanshyam Singh Resident of
Mohalla- Belwaganj, P.S.- Laheriasarai, District- Darbhanga, Bihar. Present
Address-Supaul Bazar ,Dist-Darbhang.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Padmanabh Kashyap, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Padmanabh Kashyap, learned counsel for
the petitioner and Mr. Umeshanand Pandit, learned A.P.P. for the
State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 386, 387 and 34 of the
Indian Penal Code.

3. As per prosecution case, informant, namely Priti
Kumari, alleged that on 20.04.2024, when her husband was
returning, this petitioner, including all the F.I.R. named accused
persons, surrounded him and demanded ransom of Rs. 1 lakh
and upon refusal, co-accused Vijay Paswan and his friends
stabbed dagger in the belly of husband of informant due to
which her husband became unconscious and during course of



treatment, he died.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Informant is not eye witness of the occurrence. As per F.I.R., all 5 named accused persons, including this petitioner, assaulted deceased but in the *post mortem* report, only one injury has been found on the body of the deceased which itself falsifies the entire prosecution case. Allegation is general and omnibus and there is no specific accusation of overt act against this petitioner. Co-accused Avinash Paswan, having similar and identical allegations, has already been granted bail by this Hon'ble Court vide order dated 25.11.2025 passed in Cr. Misc. No. 67636 of 2025. Moreover, charge-sheet has already been submitted and petitioner is in custody since 01.02.2025.

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

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Darbhanga in connection with Benta P.S. Case No. 12 of 2024.

(Prabhat Kumar Singh, J)

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