

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89049 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- RUPO District- Nawada

Chhotu Kumar Son of Navin Singh @ Guhan Singh Resident of Village-
Andauli, P.S.- Chewara, Distt.- Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

3 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rupau
P.S. Case No. 80 of 2024 instituted for the offences under
Sections 310(4)(5) of the Bhartiya Nyaya Sanhita.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of being involved in
making preparation for committing *dacoity*.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has
transpired in this case on the basis of the confessional statement



of the co-accused Dilkhush Kumar which has no evidentiary value in the eye of law. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has five criminal antecedents and is languishing in judicial custody since 17.09.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Dilkhush Kumar has been granted bail by this Court vide order dated 24.01.2025 passed in Cr. Misc. No. 2822 of 2025.

6. On the other hand, learned A.P.P. for the State has 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 as also taking into account the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner, abovenamed, 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 Court below/concerned Court in



connection with Rupau P.S. Case No. 80 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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