

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23340 of 2026

Arising Out of PS. Case No.-169 Year-2023 Thana- ADAPUR District- East Champaran

Chhotu Alam @ Chhote Miya S/o Jal Mohammad @ Jala Miya @ Jal Mahamad Miya R/o Vill- Shyampur Chowk, P.S.- Adapur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner seeks bail in connection with Adapur P.S. Case No. 169 of 2023 dated 04.06.2023 registered for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The allegation is of recovery of two loaded country made pistol, two live cartridges, one Splendor Motorcycle and one knife from the possession of the co-accused persons.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R., rather, he has been made accused, only on the basis of confessional statement of Krishna Kumar and Sunny Kumar, who were apprehended at the time of occurrence. It is further submitted that five persons were arrested at the time of raid from the orchard of Pravin Singh and some illegal arms were recovered from the apprehended persons. Further, it is submitted that nothing has been recovered from the conscious possession of the petitioner. There is no materials against the petitioner in the case dairy to connect him with the said crime. The petitioner is in custody since 22.11.2025, having one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



S.D.J.M., Raxaul at Mothihari in connection with Adapur
P.S. Case No. 169 of 2023, subject to the 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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