

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27631 of 2026

Arising Out of PS. Case No.-328 Year-2025 Thana- CHANDI District- Nalanda

Chhutu Kumar @ Chotu Kumar son of Late Madan Gope Resident of village-
Mokimpur PS -Chandi Distt -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Mrityunjay Narain, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2026 Heard Mr. Kumar Mrityunjay Narain, learned
counsel for the petitioner and Mr. Madhura Nand Jha, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chandi P.S. Case No. 328 of 2025, F.I.R. dated 27.06.2025 for the offences punishable under Sections 103(1) and 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that his daughter, namely, Sima Kumari (now, deceased) has been killed by her husband and in-laws. It is further alleged that husband of the deceased used to talk with another girl.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been 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 offences as alleged in the F.I.R. Informant is not the eye witness of the alleged occurrence and he has been made accused in the present case merely on the basis of suspicion. Infact the petitioner is brother-in-law of the deceased and there is no specific allegation of assault or demand of dowry against him rather there is general and omnibus allegation against all the accused persons including the petitioner. He next submits that husband of the deceased, namely, Manchan Kumar, who also happens to be the brother of the petitioner is in judicial custody.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, Hilsa in connection with Chandi P.S. Case No. 328 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of



the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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.

ii. 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.

iii. 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 bond 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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