

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28384 of 2026

Arising Out of PS. Case No.-289 Year-2022 Thana- MINAPUR District- Muzaffarpur

Abhishek Kumar @ Chhotu Kumar Singh @ Chhotu Kumar Son of Ajay Kumar Singh, R/o Village- Jamin Mathiyan, P.S. Minapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the State : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2026 Heard Mr. Santosh Kumar, learned counsel for the petitioner and Mr. Ram Naresh Ray, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 14.12.2025, in connection with Minapur P.S. Case No. 289 of 2022, F.I.R. dated 06.06.2022 registered for the offences punishable under Sections 399, 402, 400, 401, 34 of the Indian Penal Code and Sections 25(1-B)A, 26, 35 of the Arms Act.

3. As per the prosecution case, on secret information police reached the place of occurrence where on vehicle was found standing in which 5-7 persons were sitting. On seeing the police they started running and on chase two persons were apprehended and from the possession of the apprehended persons one loaded country made pistol and two cartridges were



recovered.

4. Learned counsel for the petitioner submits that the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused persons, namely, Pankaj Kumar and Vikash Kumar and except the disclosure made by apprehended co-accused persons, nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner and similarly situated co-accused person, namely, Shekhar Kumar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 06.02.2023 passed in Cr. Misc. No. 68724 of 2022, another co-accused persons, namely, Chandan Kumar and Deepak Kumar have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 13292 of 2023, another co-accused person, namely, Pankaj Kumar @ Pankaj Sahni has been granted bail by this Court vide order dated 16.05.2023 passed in Cr. Misc. No. 15775 of 2023, another co-accused person, namely, Vishal Kumar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order



dated 06.07.2023 passed in Cr. Misc. No. 18084 of 2023, another co-accused person, namely, Harpit Kumar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 31.07.2024 passed in Cr. Misc. No. 35044 of 2024 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 14.12.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case as well as similarly situated co-accused persons have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court and regular bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case No. 289 of 2022, 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 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds 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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