

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34172 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- CHAUTHAM District- Khagaria

Bakhera Singh Son of Bhattu Singh @ Bhatu Singh Resident of Village-
Nawada, P.S.- Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard Mr. Santosh Kumar Singh, learned counsel
for the petitioner as well as Mr. Choubey Jawahar, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.12.2025 in connection with Chautham P.S. Case No.90 of
2025, F.I.R. dated 10.04.2025 for the offences punishable under
Sections 103(1), 61(2) of the Bharatiya Nyay Sanhita, 2023 and
Section 27 of Arms Act.

3. According to prosecution case, it is alleged that the
petitioner along with other accused persons in conspiracy killed
the husband of the informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation levelled against the petitioner is



false and fabricated. From bare perusal of the FIR it appears that specific allegation of assault is attributed against co-accused persons, namely, Ashish Kumar, Sonu Kumar and Ritesh Kumar and there is no specific allegation of assault or overt act or firing against this petitioner. He further submits that similarly situated co-accused person, namely, Diwakar Singh has been granted the privilege of anticipatory bail by this Court vide order dated 31.07.2025 in Cr. Misc. No. 47881 of 2025 and other co-accused persons, namely, Rajiya Devi @ Raj Kumari Devi, Bijal Singh, Uday Singh @ Uday Kumar have been granted the privilege of bail by different co-ordinate Benches of this Court vide order dated 30.07.2025, 18.11.2025, 18.11.2025 in Cr. Misc. No. 45294 of 2025, Cr. Misc. No.74222 of 2025, Cr. Misc. No. 74924 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 15.12.2025.

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



6. Considering the aforesaid facts and circumstances, there is no specific allegation of assault or overt act or firing against this petitioner and similarly situated co-accused persons, have been granted the privilege of anticipatory bail and regular bail by this Court or by different co-ordinate Benches of this Court, let the petitioner, above named, 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 Chief Judicial Magistrate, Khagaria in connection with Chautham P.S. Case No. 90 of 2025, subject to the 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 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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