

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38139 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- KASIMBAZAR District- Munger

Chhotu Kumar @ Paras Kumar @ Paras Kumar Yadav son of Late Shivan
Yadav Resident of village-Chhoti Mirzapur, P.S- Kasim Bazar, Distt-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr. Jyoti Ranjan Jha, learned counsel for the

petitioner as well as Ms. Gulnar Begum, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.01.2026 in connection with Kasim Bazar P.S. Case No. 28 of
2026, F.I.R. dated 19.01.2026 for the offences punishable under
Sections 115(2), 126(2), 303(2), 109, 308(3), 3(5) of the
Bharatiya Nyay Sanhita, 2023 and 27 of the Arms Act.

3. According to prosecution case, the informant
alleged that on 18.01.2026 at 10.00 PM, while he was present at
his cattle shed along with his son and wife, all the accused
persons including the petitioner came, armed with country-made
pistols and, with an intention to kill, opened fire upon him,
causing gunshot injury on his right hand.



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. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act attributed against the petitioner and only allegation against the petitioner is that he threatened the informant of dire consequences before the alleged incident. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and petitioner carries twelve 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 said matters.

6. Considering the aforesaid facts and circumstances, 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 C.J.M., Munger in connection with Kasim Bazar P.S. Case No. 28 of 2026, 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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