

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76264 of 2025**

Arising Out of PS. Case No.-760 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Chhotu Kumar @ Chotu Kumar S/o Ganesh Das R/o Village - Chak  
Baladhari, (Vishunpur Baladhari), P.S - Sadar Hajipur, District - Vaishali  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate  
For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      04-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Hajipur  
Sadar P.S. Case No. 760 of 2023 instituted for the offences  
under Sections 302/34 of the Indian Penal Code and Section 27  
of the Arms Act.

3. Prosecution case, in short, is that the informant  
alleges that on 08.10.2023 at about 11:00 PM, two unknown  
persons entered her house by jumping the wall and shot her  
husband Sudhir Kumar on the head while he was sleeping,  
resulting in his death.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.  
Petitioner is not named in the F.I.R. The name of the petitioner  
transpired in this case on the basis of confessional statement of



co-accused Prabhat Kumar @ Sonu. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.07.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that as per the material available in the case diary, the involvement of the petitioner in the commission of murder of the deceased cannot be discarded. He further submitted that it was the petitioner who had arranged the pistol which was used in the alleged occurrence.

6. Considering the aforesaid facts and circumstances of the case, material available in the case diary as also the nature and gravity of offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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