**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.79159 of 2026**

**CNR No. BRHC011097882026**

Arising Out of PS. Case No.-250 Year-2026 Thana- BARACHATTI District- Gaya

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Chhotu Kumar @ Chotu Kumar S/o Late Mahabir Yadav R/o Village - Kosdihra, PS - Magadh Medical, Distt - Gaya Ji

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Barachatty P.S. Case No. 250 of 2026, instituted for the offences punishable under Sections 310(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that while the informant was proceeding from Asansol in his vegetable-laden Bolero pickup along with his helper, 5-6 motorcycles carrying several persons allegedly intercepted them, forcibly took away their mobile phones, tied their hands and feet, and fled with the pickup vehicle.

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4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Anshu Kumar and the same has got no evidentiary value. It is further submitted that neither any looted article has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 16.07.2026 and has got three criminal antecedents. Learned counsel for the petitioner further submits that other co-accused have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 15.10.2026 passed in Cr. Misc. No. 69039 of 2026.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barachatty P.S. Case No. 250 of 2026.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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