

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81457 of 2025**

Arising Out of PS. Case No.-134 Year-2025 Thana- BHAGWAN BAZAR District- Saran

Chhote Khan @ Chote Khan Son of Alamgir Khan Resident of Village-  
Barhampur, PS -Bhagwan Bazar, District -Saran Chhapra ... .. Petitioner/s  
Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Soni Kumari, Advocate  
For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3 28-01-2026 Heard Ms. Soni Kumari, learned counsel for the  
petitioner as well as Mr. Anil Kumar, learned Additional Public  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
10.03.2025 in connection with Bhagwan Bazar P.S. Case No. 134  
of 2025, F.I.R. dated 12.03.2025 for the offences punishable under  
Sections 115(2), 126(2), 109, 118(1), 308(3), 303(2), 352, 351(2),  
351(3), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged  
that when his relative Babu Raja was returning to his house after  
performing Namaj then all the petitioner along with other co-  
accused persons came and started beating him and assaulted him  
by means of knife and due to which he got injured. It is further  
alleged that the accused persons also snatched gold chain from the  
said Babu Raja and demanded Rs.1 lakh as ransom.



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. It appears from the FIR that informant is not the eye witness of the alleged occurrence and it also appears that there is no specific allegation of assault or overt act against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner that he assaulted the victim by means of knife due to which the victim sustained injury and later died. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 10.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it has come in the post-mortem report of the deceased that four injuries were found in the body of the deceased which suggest that altogether four persons assaulted the victim by means of knife and apart from that the petitioner carries one criminal antecedent other than the present one.

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 ACJM-1st Saran, Chapra in connection with Bhagwan Bazar P.S. Case No. 134 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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