

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87683 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- MATIHANI District- Begusarai

Chhotu Kumar @ Anshu Kumar, S/o Madan Chaudhary @ Munna Chaudhary, R/o Matihani, P.S.- Matihani, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.
For the State : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 07-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Matihani P.S. Case No. 44 of 2025 dated 08.03.2025 registered for the offences punishable under Sections 329(3), 308(4), 352, 3(5) of BNS 2023 and Section 27 of the Arms Act.

3. As per allegation, the petitioner along with other co-accused came to the door of the informant and demanded Rs.1,00,000/- as extortion, and on refusal, co-accused Madan Chaudhary @ Munna Choudhary directed other co-accused Deepanshu Kumar to kill the eldest son of the informant. It is further alleged that the petitioner was also carrying a pistol in his hand and he fired at the door of the house of the informant.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that admittedly there is no injury caused to anybody. He also submits that as a matter of fact, the petitioner and the informant sides are agnates (*Gotia*) and they have family disputes and that is why this false case has been lodged to harass the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with



Matihani P.S. Case No. 44 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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