

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1668 of 2026

Arising Out of PS. Case No.-246 Year-2025 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Chhotu Kumar @ Chotu Kumar Son of Late Rajesh Yadav Resident of
Village- Gopi Bigha, P.S.- Magadh Medical, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Magadh Medical P.S. Case No. 246 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109, 352, 351(2) and 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the informant after closing his fish shop, was going to his house in the meantime, persons on three motor-cycles came and surrounded him from both sides and the accused persons namely Lalu Kumar, Roki Kumar, Vicky Kumar, Chhotu Kumar (the petitioner) and two unknown persons got off from the motor-



cycle, thereafter it is alleged that Lalu Kumar had a pistol who threatened the informant to kill him. It is next alleged that Roki attacked him, Vicky snatched his chain and Lalu took away the bag and Rs. 27,000/-.

4. Learned counsel for the petitioner submits that the entire prosecution story is false, fabricated and concocted. Learned counsel for the petitioner submits that there is no manner of occurrence as alleged has ever taken place. It is further submitted that the allegations are general and omnibus in nature. It is also submitted that although the petitioner is named in the FIR but in the statement of the accused, his name does not appear. It is further submitted that neither the allegation of firing nor snatching has been made against the petitioner.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that there is no specific allegation against the petitioner of assaulting the informant and that he is said to be member of the group, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Vth, Gaya in connection with Magadh Medical P.S. Case No. 246 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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