

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2977 of 2026

Arising Out of PS. Case No.-271 Year-2025 Thana- SINGHWARA District- Darbhanga

Chhotu Kumar, aged about 26 years, Gender- Male, S/o Mohan Das, R/o Village- Koili @ Rasulganj, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Singhwara PS Case No.271 of 2025 dated 02.10.2025, instituted for the offence punishable under Sections 317(2), 317(4), 317(5), 338, 336(3), 323, 111(2) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The petitioner along with co-accused Raja Kumar were apprehended with stolen motorcycles, mobile phones and keys and on query, they failed to produce any valid documents for the same.

4. Learned counsel for the petitioner submits that nothing has been recovered from conscious possession of the petitioner. In fact, on the alleged date of occurrence, the



petitioner was returning from the house of his relative and the police arrested him on suspicion and remanded him in this false and concocted case. Petitioner has no concern with the alleged offence. Further submission is that similarly situated co-accused, Raja Kumar, has been granted bail by a co-ordinate Bench of this Court by order dated 28.01.2026 passed in Cr. Misc. No.3450 of 2026 and another co-accused Dukhi Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No.89800 of 2025. Lastly, it is submitted that the petitioner is in custody since 03.10.2025 having one criminal case against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-VII, Darbhanga, in Singhwara PS Case No.271 of 2025, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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)



that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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