

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9212 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- GAURICHAK District- Patna

Chhote Pandey @ Roshan Kumar Pandey S/o- Chhote Kant Panday @ Rukhi
Pandey Resident of Bali, P.S. Pachrukhiya District- Patna Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Azim Uddin, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Md Azim Uddin, learned counsel

appearing on behalf of the petitioner and Mr. Tapeswar

Sharma, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Gaurichak P.S. Case No. 55 of 2024 registered under
Sections 399 and 402 of the Indian Penal Code and Sections
25(1-b)(a), 26 of the Arms Act.

3. As per the allegation made in the FIR, the
informant alleged that while he was going to attend the nature's
call, one of the co-accused made an inquiry from him. When the
informant answered to the inquiry, one Jitendra Ram flashed
country made pistol at him. As the informant screamed, co-
villagers assembled there and the co-accused, along with the
petitioner, fled away.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. He further submitted that other co-accused have been granted anticipatory bail by this Court vide order dated 11.09.2024 passed in Cr. Misc. No.60826 of 2024 and vide order dated 03.10.2024 passed in Cr. Misc. No.67339 of 2024. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the submissions made on behalf of the parties, as well as, the fact that other co-accused have already been granted anticipatory bail by this Court and the petitioner is having clean antecedent, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the



satisfaction of learned A.C.J.M., Patna City in connection with Gaurichak P.S. Case No. 55 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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