

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8052 of 2025

Arising Out of PS. Case No.-460 Year-2017 Thana- RAJAON District- Banka

Horil Choudhary, Son of Mehilal Choudhary, Resident of Mirzapur Chaugori,
P.S. - Barahat, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate with Mr. Satyaveer Jha, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rajoun
P.S. Case No. 460 of 2017 dated 10.09.2017 instituted for the
offence punishable under Sections 394 of the Indian Penal
Code.

3. The prosecution case, in short, is that Rs. 10,000-
15,000/- was looted by the miscreants from the cabin of Truck
bearing Registration No. BR11GA 0761, which was being run
by the informant. The miscreants also fired a gunshot upon the
informant, which missed the target.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner submits that F.I.R. has



been lodged against unknown person. The petitioner has been made accused in this case only on the basis of confessional statement of co-accused Rajesh Yadav. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that similarly situated co-accused, namely, Bullu Mandal has been granted bail *vide* order dated 28.02.2025 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 13221 of 2025. Lastly, it has been submitted that the petitioner is in custody since 27.09.2024 having three criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

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 learned C.J.M., Banka in connection with Rajoun P.S. Case No. 460 of 2017, subject to the following conditions:

1. 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.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. 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.

4. 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.

(Khatim Reza, J)

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