

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27791 of 2025

Arising Out of PS. Case No.-81 Year-2005 Thana- PARAIYA District- Gaya

Vijay Chaurasiya @ Vijay Paneri @ Bageri Son of Late Ram Bilash
Chaurasiya Resident of Village - Rauna, P.S.- Konch, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Paraiya
P.S. Case No. 81 of 2005 instituted for the offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case is that on 25.12.2005, while
the informant and his family were sleeping outside their house,
a group of men attacked them. They tied up and brutally
assaulted the informant's father and shot his brother Bhola
Prasad, causing his death. The attackers were allegedly
searching for a person named Baiju Prasad.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 21-12-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. The present case involves the misuse of the privilege of bail by the petitioner. Learned counsel states that the petitioner was first granted regular bail by this Court on 17.01.2007 in Cr. Misc. No. 1379 of 2007, but his bail bonds were later cancelled due to non-appearance. He was again granted bail on 03.02.2020 in Cr. Misc. No. 53934 of 2019, but once again, his bail bonds were cancelled on 18.11.2024 for failing to appear. It is submitted that although the charge was framed back in 2006, no witnesses have been examined till date. The petitioner now undertakes to cooperate fully with the trial proceedings.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and taking into account the undertaking of the petitioner to cooperate in the trial, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paraiya P.S. Case No. 81 of 2005, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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