

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21947 of 2025

Arising Out of PS. Case No.-168 Year-2023 Thana- AMDABAD District- Katihar

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Doma Choudhary @ Rajesh Choudhary @ Doman Chaudhari S/O Late Ramji Choudhary Resident of Village- Kasba Tola, Gadai Diyara, Ward No. 11, P.S.- Amdabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-08-2025 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with Sessions Trial No.304 of 2024 arising out of Amdabad P.S. Case No. 168 of 2023 lodged on 01.07.2023, for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 302 & 504 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected *vide* order dated 20.03.2024 passed in Cr. Misc. No. 21661 of 2024 with liberty granted to the petitioner to renew his prayer for bail nine months after framing of charge. Counsel submits that charge has already framed in this case on 19.06.2024 and more



than one year has passed since framing of charge. But, even then, not a single witness has been examined in this case. Counsel further submits that the petitioner is in custody since 19.01.2024, having clean antecedent.

4. Learned APP for the State opposes the prayer for bail of the petitioner but submits that in the earlier rejection order, liberty was granted to the petitioner to renew his prayer for bail nine months after framing of charge. And now, more than one year has passed since framing of charge.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is at the instance of the accused that none of the witnesses could go to court, and they forcefully prevented the witnesses from being examined.

6. Upon the specific query of the Court regarding whether the informant's side has filed any application before any authority under the witness protection scheme, counsel for the informant remained silent and only submits that the informant's side are poor.

7. Upon perusal of the records, it transpires to this Court that other accused persons have been granted regular bail by this Court *vide* orders dated 17.02.2024, 10.05.2024 & 31.07.2024 passed in Cr. Misc. Nos. 7099 of 2024, 19321 of



2024 & 53968 of 2024 respectively (annexed as Annexure-P/3 series of the bail application).

8. As such, in the present facts and circumstances of this case, let the above named petitioner be granted bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of District & Additional Sessions Judge-VIII, Katihar, in connection with Sessions Trial No.304 of 2024 arising out of Amdabad P.S. Case No. 168 of 2023, subject to the conditions as laid down U/s 480(3) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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