

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24104 of 2025

Arising Out of PS. Case No.-365 Year-2022 Thana- BAHERI District- Darbhanga

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Gautam Chaurasiya @ Gautam Kumar Chaurasiya S/o Madan Chaurasiya R/o
Village- Akha, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 11-07-2025 Heard Mr. Raj Kumar Sinha, learned counsel for the

petitioner and Mr. Satyendra Prasad, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
08.01.2025 in connection with Baheri P.S. Case No. 365 of
2022, F.I.R. dated 09.11.2022 registered for the offence
punishable under Sections 413, 414, 379, 467, 468, 471 and 34
of the Indian Penal Code.

3. According to prosecution case, on 09.11.2022, the
informant along with other police force were on patrolling duty
and when reached at Sankar Rohar Chowk he saw a white color
Bolero vehicle and on search nothing incriminating was found
but when driver was asked to produce paper regarding
ownership he replied that it is with owner. It is further alleged
that the driver disclosed his name as Saurav Kumar Chaurasiya



to whom informant directed to call owner of the vehicle but the owner of the vehicle did not turned up. Thereafter, the informant contacted Transport Department on mobile then it was reported that the vehicle belong to one Pankaj Kumar. The Chassis number and engine number of the vehicle were differing and the petitioner did not explain regarding same number of two vehicle.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that the name of the petitioner has been transpired on the basis of disclosure made by the apprehended co-accused person, namely, Saurav Kumar Chaurasiya, he has stated that the petitioner is also involved in the present crime in question. Apart from that, no other material has come during the course investigation to suggest the involvement of the petitioner in the present occurrence. Co-accused, namely, Saurav Kumar Chaurasiya, has been granted regular bail by this Court vide order dated 09.05.2023 passed in Cr. Misc. No.12261 of 2023 and the police, after investigation, submitted charge-sheet against the petitioner and the petitioner is in custody since 08.01.2025.

5. Learned APP for the State has opposed the prayer



for bail of the petitioner and submits that the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid fact and the fact that the similarly situated co-accused person has been granted regular bail by this Court and the name of the petitioner has been transpired in the present case on the basis of disclosure made by the co-accused, namely, Saurav Kumar Chaurasiya, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, District-Darbhanga in connection with Baheri P.S. Case No. 365 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.



(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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