

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24951 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- LADANIA District- Madhubani

Gurusharan Chaudhary S/o Ramashish Chaudhary R/o Vill.-
Kamlawari, P.S. - Jainagar, District - Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jagdish Pd. Singh, Advocate
Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 25-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Ladania

P.S. Case No. 376 of 2024 (G.R. No. 2582/2024) registered

for the offences under Sections 309(4) of the Bhartiya Nyay

Sanhita, 2023.

3. The petitioner is named in the First Information

Report and is in custody since 12.11.2024.

4. Allegation against the petitioner is to commit

robbery and while committing so, looted cash of Rs. one Lakh

Nepali currency, one Oppo Mobile handset along with other

co-accused persons.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that the petitioner, as a matter of coincidence, was returning from his mother's village on motorcycle of his maternal uncle namely, Siya Saran Chaudhary and as he arrived near to place of occurrence, he was apprehended by private person purely on the basis of suspicion and was later on hand over to police.

6. It is submitted that it is a case of arrest by private person. It is pointed out that even upon spot arrest nothing incriminating, as alleged to be looted, was recovered from the person of this petitioner, which makes entire allegation doubtful on its face.

7. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted, and as such, there is no chance of tampering with the evidence, and moreover, the petitioner is said to be involved in two more criminal cases of petty nature like excise case, where allegation is only of consuming liquor and on bail.

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



9. Considering the aforesaid facts and circumstances and by taking note of the fact as arrest of petitioner was made by private person, where upon spot arrest *prima facie* nothing incriminating as alleged to be looted was found from his possession, coupled with the fact that petitioner is in custody since 12.11.2024, where and investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani/concerned court, in connection with Ladania P.S. Case No. 376 of 2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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