

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27618 of 2025

Arising Out of PS. Case No.-53 Year-2012 Thana- MANSURCHAK District- Begusarai

Ramkumar Chaudhary @ Kari Chaudhari @ Kariya Son of Upendra Chaudhary Resident of Village - Godhna, Police Station - Bachhwara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Mansurchak P.S. Case No. 53 of 2012 dated 29.03.2012, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 332, 353, 427, 379 and 337 of the Indian Penal Code. Mansurchak P.S. Case No. 54 of 2012 dated 29.03.2012 was instituted for the offences punishable under Sections 307, 302, 34 of the I.P.C. and Section 27 of the Arms Act and both the F.I.Rs. were amalgamated vide order dated 28.01.2016 passed by learned A.C.J.M., Teghra, wherein cognizance has been taken under Sections 326, 307, 302, 120B and 34 of the I.P.C. and Section 27 of the Arms Act.



3. Regarding sustaining injury by the three persons due to firing on Scorpio vehicle Mansurchak P.S. Case No. 53 of 2012 was instituted on the basis of written report of Kishore Kumar, Officer In-charge of Mansurchak police station against 4-5 unknown persons. Later on, two injured persons died and on the basis of the written report of Prem Kumar Choudhary, brother of one of the deceased, namely, Arbind Choudhary, Mansurchak P.S. Case No. 54 of 2012 was instituted against ten named persons indulged in firing.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is not named in both the F.I.Rs. The name of the petitioner has been transpired in these cases only on the basis of confessional statement of co-accused Rajiv Choudhary, whose name has come in Mansurchak P.S. Case No. 54 of 2012. Except, the confessional statement of co-accused Rajiv Choudhary, there is no material against the petitioner to implicate him in both the cases. There is no allegation of any specific overt act against the petitioner. Petitioner has been made accused in this case only on the basis of his past criminal antecedents. Further submission is that similarly situated co-accused persons have been granted bail by



Co-ordinate Benches of this Court *vide* Annexure P/3 series. Lastly, it has been submitted that the petitioner is in custody since 18.05.2024 having ten criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has 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 A.C.J.M., Teghra, Begusarai in Mansurchak P.S. Case No. 53 of 2012 and Mansurchak P.S. Case No. 54 of 2012, 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.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the completion of trial in this case.

(Khatim Reza, J)

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