

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28164 of 2025

Arising Out of PS. Case No.-638 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Raj Narayan Choudhary @ Parvin Kumar Choudhary S/o Prabhu Narayan
Choudhary R/o Village- Lagunia Raghukanth, PS- Muffasil, Distt- samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shashank Shekhar, Adv.
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Ashutosh Nath, Adv.

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

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner has earlier moved for grant of anticipatory bail in Cr. Misc. No. 71458 of 2023 which was granted vide order dated 07.11.2023 passed by a Co-ordinate Bench of this Court. Thereafter, the petitioner renewed his prayer for anticipatory bail in Cr. Misc. No. 60467 of 2024 which was granted vide order dated 06.12.2024 passed by a Co-ordinate Bench of this Court.

3. The petitioner seeks bail in connection with Muffasil P.S. Case No. 638 of 2022 instituted for the offences



under Sections 147, 148, 149, 341, 323, 324, 326, 307 and 109 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per prosecution case, all the accused persons named in the F.I.R. including the petitioner assaulted the informant and his family members by means of sword, *farsa* and pistol due to which, some of the family members of the informant sustained injury.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. As per allegation, the petitioner is alleged to have fired from his pistol causing injuries to Jay Krishan Choudhary. He further submits that there is an old-existing land dispute between the parties and a title suit bearing T.S. No. 122 of 2022 is pending in the Court of Sub Judge-III, Samastipur. Learned counsel for the petitioner further submits that earlier the petitioner was granted anticipatory bail with a condition precedent to verify the injury report of Jai Krishan Choudhary upon whom the petitioner is said to have fired. On verification, the injury on the person of Jai Krishan Choudhary was found to be grievous in nature, resulting into non-acceptance of the bail bonds of the petitioner. The petitioner is the own uncle of the petitioner. He further



submits that though there is an allegation of indiscriminate firing upon the petitioner but, only one injury was found upon his person which falsifies the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 04.02.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. Charge-sheet has been submitted in this case.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 638 of 2022.

(Rudra Prakash Mishra, J)

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