

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32708 of 2025

Arising Out of PS. Case No.-667 Year-2024 Thana- SASARAM NAGAR District- Rohtas

1. Manoj Choudhary S/O Naresh Choudhary R/O Village-kusudhi, P.S-Darigaon, District-Rohtas, Bihar.
2. Sher Bahadur Choudhary S/O Dhaneshwar Choudhary R/O Village-kusudhi, P.S- Darigaon, District-Rohtas, Bihar.
3. Shiv Kumar Choudhary S/O Naresh Choudhary R/O Village-kusudhi, P.S-Darigaon, District-Rohtas, Bihar.
4. Bhavishan Choudhary @ Vibhishan Choudhary S/O Landu Choudhary R/O Village-kusudhi, P.S- Darigaon, District-Rohtas, Bihar.
5. Komal Choudhary S/O Rupan Choudhary R/O Village-Kusudhi, P.S-Darigaon, District-Rohtas, Bihar.
6. Ram Ekbal Choudhary S/O Rupan Choudhary R/O Village-Kusudhi, P.S-Darigaon, District-Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 07-11-2025 By order dated 09.07.2025 the anticipatory bail application with respect to petitioner Nos.1 to 4 was dismissed as withdrawn.

2. Heard Mr.Jai Prakash Singh, learned counsel for the petitioner Nos.5 and 6 and Ms.Anita Kumari, learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Sasaram Town P.S.Case No.667 of 2024, FIR



dated 06.08.2024 registered for the offences punishable under Sections 191(2),191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 329(4), 303(2),74, 352, 351(3) of the B.N.S. 2023 and 27 of the Arms Act.

4. The prosecution case, in brief, is that on account of dispute relating to land, the occurrence is alleged to have taken place. Altogether 28 persons have been made accused in the instant FIR including the petitioners. It is next submitted that allegation of assaulting the side of the informant is specific against the named accused persons and as far as both petitioners are concerned, they are alleged to have assaulted to Bablu Chaudhary and Akshaywar Chaudhary. It is also submitted that on account of dispute relating to land and to give seriousness to the case allegation of firing has been alleged.

5. Earlier the petitioners have moved before this Court in Cr. Misc. No. 15339 of 2025 but the same was dismissed as withdrawn vide order dated 10.04.2025 with a liberty to file a fresh application.

6. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR and there is specific allegation against the



petitioners in the FIR that they have assaulted to Bablu Chaudhary and Akshaywar Chaudhary and they have received the injuries but the injury report of Akshaywar Chaudhary suggests that the injury is simple in nature. So far as injury report of Bablu Chaudhary is concerned that he has received three injuries. Out of three injuries, two injuries are simple in nature and rest one injury is grievous in nature due to fracture in his hand which is not on the vital part of the body of the injured person. There is case and counter case.

7. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners

8. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case and the injury inflicted upon the injured person is simple in nature, let petitioner Nos.5 and 6, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Sasaram Town P.S. Case No.667 of 2024, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

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