

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33736 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- HISUWA District- Nawada

1. Ramkumar Chaudhary @ Rajkumar Chudhary Son of Late Latan Chaudhary
Resident of Village- Anarpur P.O.- Sachaul, P.S.- Hisua, District- Nawada
 2. Mantu Chaudhary @ Mantu Kumar Chaudhary Son of Ramkumar
Chaudahry Resident of Village- Anarpur P.O.- Sachaul, P.S.- Hisua, District-
Nawada
 3. Biru Chaudhary @ Biru Kumar Chaudhary S/O- Ramkumar Chaudhary
Resident of Village- Anarpur P.O.- Sachaul, P.S.- Hisua, District- Nawada
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Hisua P.S. Case No. 94 of 2025 for the offence under Sections 126(2), 115(2), 303(2), 74 and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 14.02.2025 by the informant, Ram Pravesh Chaudhary.

3. As per the prosecution story, the informant alleged that the accused persons (petitioners herein) came in, lifted ten bags each of Rice and Wheat and upon protest by the wife of the informant, was assaulted. When the informant informed the Block Supply Officer, the officer was also abused. This led to the F.I.R.

4. Learned counsel for the petitioners submit that they are consumers, took the food grains but this case has been thrust



upon them only because they have criminal antecedent. Last submission is that without accepting the allegation or outcome of the petition the petitioners intend to pay Rs.10,000/- each (totaling Rs.30,000/-) by Demand Draft issued by the local branch of the State Bank of India in the favour of the informant.

5. Learned APP opposes the prayer for bail submitting that forcibly they lifted the food grains from the PDS Dealer.

6. Taking into account the submissions of the parties as also the fact that the F.I.R. is there, the petitioner shall face the music, they have agreed to repay the amount to the informant as recorded above, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.10,000/- each (totaling Rs.30,000/-) by Demand Draft issued by the local branch of the State Bank of India in the favour of the informant and the receipt has to be submitted before the Trial Court and after checking credentials to be handed over to the informant.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No. 94 of 2025 subject to the



conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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