

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33165 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- Jhandapur District- Bhagalpur

Amit Choudhary @ Amit Kumar Choudhary, Son of Sri Subodh Choudhary,
Resident of Village-Marwa, P.S.- Jhandapur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Jhandapur (Bihpur) P.S. Case No.126 of 2024 registered under Sections 191(2), 191(3), 190, 329(3), 118(1), 109, 74, 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Allegation against the petitioner is to assault the informant along with other co-accused persons causing head and bodily injury by using *farsa*, rod etc. with intention to cause death of informant and others.

4. It is submitted by learned counsel that petitioner



is working with Boarder Security Force (in short 'B.S.F.') and on the date of occurrence, he was on his duty and merely for the reason that he is the one of the agnates/co-parceners of the informant, he was falsely implicated with present case as to pressurize the main co-accused, who was actually involved in the occurrence. It is submitted that upon medical examination, the nature of injury as caused upon informant was found simple and same has categorically held to be caused by hard and blunt substance, negating allegation on its face that the informant was assaulted by using *farsa*. The petitioner is said to be a man of clean antecedent.

5. Learned APP opposed the prayer for anticipatory bail.

6. In view of aforesaid factual submissions and by taking note of fact as allegation of physical assault is not repeated, where upon medical examination, nature of injury caused to the informant found simple in nature, negating *prima facie* intention to cause death, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks, is



directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Chief Judicial Magistrate, Naugachhiya, Bhagalpur in connection with Jhandapur (Bihpur) P.S. Case No.126 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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