

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34280 of 2025

Arising Out of PS. Case No.-243 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Bipin Kumar Choudhary @ Bipin Kumar @ Bipin Choudhary S/O Late
Ganpat Choudhary R/O Vill.- Dhanuprara, P.s.- Ara Town, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-07-2025 Heard Mr. Shashank Chandra, learned counsel for

the petitioner and Mr. Sanjay Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Udwant Nagar P.S. Case No. 243 of 2020, F.I.R. dated 10.07.2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along with other co-accused persons started firing indiscriminately due to which the informant's brother died at the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the petitioner was admitted in Safdarjung Hospital, New Delhi on 09.07.2020 and he has been discharged from the Hospital on 10.07.2020 at 08:05 a.m. and as per allegation in the F.I.R. the date of occurrence as alleged is 10.07.2020 at about 08:00 a.m. in the morning which suggests that the petitioner was not present at the place of occurrence and apart from that it has come during investigation in paragraph-109 of the case diary of supervision note of S.D.P.O that the alleged date of occurrence, the petitioner was at Delhi for his treatment.

5. Learned APP for the State, on the other hand, has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that there is direct and specific allegation that he along with other co-accused persons started indiscriminate firing against the deceased as well as the petitioner carries five more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in all the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Udwant Nagar P.S. Case No. 243 of 2020, 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 :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

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