

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36469 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- BIKRAM District- Patna

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Amar Choudhary S/o Ramishwar Choudhary Resident of Village- Baliari, PS-
Bikram, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sewak Prasad, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Bikram P.S. Case No. 65/2025 registered on 08.02.2025 for the offenses punishable under Sections 190, 191(2), 191(3), 126(2), 115(2), 109, 351 (2), 3 of the BN.S., 2023.

3. As per the prosecution case, the F.I.R. has been lodged against eleven named accused persons, including the petitioner, alleging that all of them reached the house of the informant while being duly armed. A specific allegation has been made against the petitioner to the effect that he opened fire; however, the shot did not hit the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. His antecedents are clean. It is further submitted that the petitioner and the informant are neighbours and well acquainted with each other. He further submits that all the alleged offences are bailable, except for the offence under Section 109 of the Bharatiya Nyaya Sanhita (B.N.S.).

5. Learned A.P.P. for the State vehemently opposes the prayer for bail and submits that the allegation of firing is specifically and directly attributed to the petitioner. Although it is true that the informant did not sustain any injury from the firing, but the ingredients constituting the offence are clearly made out. It is further submitted that the motive behind the occurrence has been mentioned in the F.I.R. itself, wherein it has been alleged that the accused persons were engaged in the sale of illicit liquor, and the informant was opposing the same, which led to the present incident.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Bikram P.S. Case No. 65/2025 pending before the learned ACJM-VI, Danapur is hereby rejected.

7. However, if the petitioner surrenders before the



Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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