

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44107 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- AMARPUR District- Banka

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Gourav Choudhary @ Om Prakash Choudhary S/O Abhay Kumar Choudhary
Resident of Village- Pawai, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Ms. Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 310(4), 310(5), 132, 109(1), 111 of BNSS & Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that based on information, the house of Jayant Yadav was raided, from where, Shiv Shakti Yadav and Pankaj Kumar Saw were arrested and from their possession, arms and live cartridges as detailed in the FIR was recovered and the apprehended accused in their confessional statement disclosed the name of the petitioner and other co-accused, who fled, when



the police arrived.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is also reiterated and submitted that petitioner is a person with clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that no doubt petitioner is a person with clean antecedent but then in the anticipatory bail application, it has not been disclosed that as to what the petitioner does. It is next submitted that since the name of the petitioner transpired in the confessional statement of the apprehended accused, as such it is not a fit case for grant of anticipatory bail when investigation of the case in its nascent stages and the petitioner has not disclosed about his profession. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which, the learned counsel for the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Amarpur P.S. Case No.10/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailors of the petitioner shall be the father of the petitioner, namely, Abhay Kumar Choudhary.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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