

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43599 of 2025**

Arising Out of PS. Case No.-274 Year-2024 Thana- AWTARNAGAR District- Saran

1. Vijay Chaudhary Son of Jay Kishun Choudhary Resident of Village - Mirjapur, P.S.- Awatarnagar, District - Saran at Chhapra
2. Mukesh Chaudhary @ Mukesh Kumar Chaudhary Son of Jay Kishun Choudhary Resident of Village - Mirjapur, P.S.- Awatarnagar, District - Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar  
For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      21-08-2025      1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The defect as pointed out by the office is hereby ignored.
3. Learned counsel for the petitioners, after some arguments, seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 2, Mukesh Chaudhary @ Mukesh Kumar Chaudhary.
4. Permission is accorded.
5. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner No. 2, Mukesh Chaudhary @ Mukesh Kumar Chaudhary.



6. The petitioner No. 1 apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 76, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

7. Learned counsel for the petitioners submits that petitioner No. 1 has antecedent of two cases, but both the cases are under the Excise Act. It is next submitted that similarly situated co-accused Ramesh Chaudhary and Dhananjay Chaudhary had approached this Court seeking anticipatory bail by filing Cr. Misc No. 27892 of 2025 and the same was allowed by a learned Co-ordinate Bench by an order dated 22-5-2025. It is further submitted that on account of dispute relating to land, the occurrence is alleged to have taken place and from perusal of the allegation as alleged in the FIR, it would manifest that allegation against the petitioner is general and omnibus in nature; and against the petitioner it is alleged that he along with Nagendra Chaudhary dashed the informant on ground and thereafter Ramesh, Dhananjay, Raja and Govind Chaudhary assaulted him by butt of pistol and *baletha*. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

8. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner No. 1 above-named, in the event of his arrest or surrender before the learned trial court 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 Awatarnagar P.S. Case No. 274 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

10. 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 cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

11. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

**(Satyavrat Verma, J)**

Sumit/-

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