

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46241 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- SASARAM MUFFSIL District- Rohtas

Vijay Kumar Choudhary @ Vijay Choudhary S/o Mukhtar Chaudhary R/o Village/ Mohalla- Jagdeo Nagar Boliya Road, P.S.- Sasaram (Town), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh- Advocate

For the Opposite Party/s : Mr. Madan Kumar- A.P.P.

Mr. Sunil Kumar Dubey- Advocate

Mr. Bibhakar Tiwary- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 15-09-2025 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 190, 191(2), 191(3), 192, 109, 352, 351(2) of the B.N.S. and Sections 27 and 30 of the Arms Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 19.03.2025 at 3.30 P.M., the informant along with his brother and sister in-law were sitting in their campus when petitioner along with other accused persons entered the campus with arms and thereafter, all the accused opened fire and petitioner



fired causing firearm injury to Baby Devi while Himanshu fired causing firearm injury to Birendra Kumar thereafter, Devanshu fired on the informant but he was saved.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that though in the FIR, the informant alleges that petitioner along with his family members came to the house of the informant where the occurrence is alleged to have been committed, but then, the entire occurrence has been captured by the CCTV. It is next submitted that petitioner has installed CCTV at his house and the police during the course of investigation investigated all the three CCTV footage and from the CCTV, it transpired that the informant along with his family members had come to the house of the informant where the occurrence is alleged to have taken place. It is also submitted that CCTV footage clearly records that it was Himanshu who fired causing firearm injury to Baby Devi and Birendra. It is next submitted that petitioner being father of Himanshu has been implicated in this case with an allegation that it was he who fired causing firearm injury to Baby Devi only for the reason to coerce Himanshu into submission. It is also submitted that firing was made by a licensed weapon.

5. The S.H.O. and Investigating Officer of the case in



compliance of the order dated 11.09.2025 are present in the Court.

6. On query of the Court that as to whether during the course of investigation, it transpired that it was petitioner who fired, the SHO fairly submits that during the course of investigation, it has not come that it was petitioner who fired rather from the CCTV footage, it is clear that it was Himanshu who fired causing firearm injury to the injured. The S.H.O. further submits that even the occurrence took place at the house of the petitioner as the side of the informant were claiming that the house in which the petitioner and his family members were residing belongs to them, on which the learned counsel appearing on behalf of the petitioner submits that since the occurrence took place at the house of the petitioner that amply demonstrates that how the informant with a view to implicate the entire family members falsely alleged in the FIR that the petitioner's side were the aggressor who came to the house of the informant and committed the occurrence.

7. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that from the CCTV footage it is clear that it was Himanshu who fired and the occurrence did not take place at the house of the informant



rather the occurrence took place at the house of the petitioner, as such, it were the informant who were the aggressor.

8. 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, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram in connection with Sasaram (M) P. S. Case No.103 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

10. The personal appearance of the S.H.O. and the Investigating Officer is dispensed with.

(Satyavrat Verma, J)

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