

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50517 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- ANTICHAK District- Bhagalpur

1. Mahesh Choudhary Son of Late Prameshwar Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
2. Bikash Choudhary @ Bikash Kumar son of Mahesh Choudhary Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
3. Mukesh Choudhary @ Mukesh Kumar son of Mahesh Choudhary Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
4. Mithilesh Choudhary @ Mithlesh Kumar son of Mahesh Choudhary Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
5. Khairo Devi @ Khirda Devi Wife of mahesh Choudhary Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
6. Anita Devi Daughter of Mahesh Choudhary Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
7. Rabita Devi @ Rabita Kumari wife of Mukesh Choudhary @ Mukesh Kumar Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
8. Savitri @ Savitri Kumari Wife of Mithlesh Choudhary @ Mithlesh Kumar Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
9. Chhatish Mandal @ Chhatish Choudhary son of Late Parmeshwar Choudhary @ Parmeshwar Mandal Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
10. Pawani Devi Wife of Chhatish Mandal @ Chhatish choudhary Resident of Village- Nawada Police Station -Antichak, Dist- Bhagalpur
11. Ravi Choudhary @ Ravi Kumar Son of Bardol Mandal @ Bhardal Mandal @ Bhardul Mandal Village- Kurpa, Ps- ikchari, Dist- Bhagalpur
12. Badal Mahaldar @ Badal Kumar Mahaldar son of Late Basudeo Mahaldar Village- Sakarigali, ps- sahebganj, Dist- Sahebganj, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025

Heard Mr. Dr. Manoj Kumar, learned counsel



appearing on behalf of the petitioners and Mr. Ram Priya Sharan Singh, learned APP appearing on behalf of the State.

2. At the outset, learned counsel appearing on behalf of petitioners has informed that petitioner nos.1, 4 and 9, namely Mahesh Choudhary, Mithilesh Choudhary and Chhatish Mandal @ Chhatish Choudhary, have already been arrested and seeks to withdraw the anticipatory bail application filed on behalf of them.

3. Permission is accorded.

4. The petitioner nos.2, 3, 5, 6, 7, 8, 10, 11, 12 apprehend their arrest in connection with Antichak P.S. Case No. 52 of 2025 registered under Sections 191(2), 190, 115(2), 126(2), 117(2), 109, 329(4), 352 of the Bharatiya Nyaya Sanhita (BNS), 2023.

5. As per the allegation made in the FIR, all the accused persons named in the FIR assaulted the informant and his family members, causing them injury, with an intention to kill.

6. Learned counsel appearing on behalf of the petitioners submitted that specific allegation is against the petitioner no.2 namely Bikash Choudhary, so far as, other petitioners are concerned, they are family members and closed



relatives of the petitioner no.2 and they have falsely been implicated in the present case. There is a general and omnibus allegation leveled against the other petitioners. There is case and counter case between the parties. On these grounds, the petitioners seek to be released on pre-arrest bail.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

8. Considering the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, there is direct allegation against the petitioner no.2 that he is the one who has assaulted the informant and his family members, with an intention to kill and there is a general and omnibus allegation leveled against the other petitioners.

9. In above view of the matter, the petitioners nos.3, 5, 6, 7, 8, 10, 11, 12 have made out a case to be released on anticipatory bail

10. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate,



Bhagalpur in connection with Antichak P.S. Case No. 52 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

11. The learned District Court is directed to verify the criminal antecedent of the petitioner nos.3, 5, 6, 7, 8, 10, 11, 12, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

12. So far as, the petitioner no.2 is concerned, considering the direct allegation leveled against him, I am not inclined to enlarge the petitioner no.2 on pre-arrest bail.

13. Accordingly, the present bail petition stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U		T	
---	--	---	--

