

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48903 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- SHERGHATI District- Gaya

Chhotu Chaudhary @ Dhananjay Chaudhary Son of Late Birendra Chaudhary
@ Late Binendra Chaudhary Resident of Village - Lemboiya, P.S.-
Raushanganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 12-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 379 of 2024, instituted for the offences punishable under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that six unknown persons riding on three motorcycles looted an old blue colored bag having important papers from the informant on the point of pistol and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case in course of investigation only on mere suspicion. It is next submitted that neither any recovery of looted motorcycle or bag has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 07.01.2025 and has got eighteen criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 04.07.2025 passed in Cr. Misc. No. 25734 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection with Sherghati P.S. Case No. 379 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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