

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48506 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- SIMRA District- West Champaran

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VISHAL KUMAR CHAUDHARY @ VISHAL CHAUDHARY S/o- Bharat
Chaudhary Village- Siswa Saraiyaman Ps- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-08-2025 Heard Mr. Sarvesh Kashyap, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Semra P.S. Case No. 07 of 2025, F.I.R. dated
14.01.2025 for the offences punishable under Sections 334(2)
and 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant
alleged that his warehouse was burglarized. On the morning of
14.01.2025, he discovered the iron gate lock missing. Upon
entering, he found that unknown thieves have stolen various
goods all amounting to a loss of approximately Rs. 5,50,000/-.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the F.I.R. The name of the petitioner has been transpired on the basis of confessional statement of co-accused person, namely, Santosh Kumar Chaudhary and except the confessional statement, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. He further submits that the similarly situated co-accused person namely, Anju Sharma @ Anuj Kumar Sharma has been granted privilege of anticipatory bail by this Court vide order dated 23.06.2025 passed in Cr. Misc. No. 38229 of 2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one but fairly submits that he is on bail in the pending matters.

6. Considering the aforesaid facts, the petitioner is not named in the F.I.R., his name has been transpired on the basis of disclosure made by apprehended co-accused person and the similarly situated co-accused person has been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of



receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Judicial Magistrate-1st, Bagha, Bettiah, West Champaran in connection with Semra P.S. Case No. 07 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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