

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49856 of 2025

Arising Out of PS. Case No.-330 Year-2025 Thana- AMARPUR District- Banka

Sanjeev Kumar Chaudhary S/o Ramanand Choudhary R/o Village-Paidapur
(Mahauta), P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 52856 of 2025

Arising Out of PS. Case No.-330 Year-2025 Thana- AMARPUR District- Banka

Ghanshayam Chaudhary @ Ghanshyam Choudhary S/o Late Shyamdeo
Chaudhary R/o Vill- Paidapur, P.S.- Amarpur, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 49856 of 2025)
For the Petitioner/s : Mr. Ravi Prakash Dwivedi, Advocate
For the State : Mr. Upendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 52856 of 2025)
For the Petitioner/s : Mr. Dharendra Kumar, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2025 Heard Mr. Raushan Kumar, learned counsel for the

petitioner in Cr. Misc. No. 49856 of 2024 and Mr. Dharendra

Kumar, learned for the petitioner in Cr. Misc. No. 52856 of

2025 as also the learned APPs representing the State.

2. The petitioners are in custody in connection with



Amarpur P.S. Case No. 330 of 2025 for the offence punishable under sections 310(4), 310(5) and 111 of the B.N.S. and section 25(10b)a, 26, 27 and 35 of the Arms Act, lodged on 12.05.2025 by the informant, Pankaj Kumar Jha.

3. As per the prosecution story, the informant alleged that upon information that certain accused persons are firing indiscriminately, the Police reached the place, apprehended/rounded of the accused persons including these two petitioners herein, from the petitioner Sanjeev Kumar Chaudhary, there is recovery/seizure of country made pistol and live cartridges whereas from Ghanshyam Chaudhary, there is recovery of two live cartridges. This led to the F.I.R.

4. Learned counsel for the petitioners submit that they were passerby, those who resorted to indiscriminate firing left the place and the Police caught them. They are in custody since 12.05.2025 and if granted relief, they shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that so far as petitioner Sanjeev Kumar Chaudhary is concerned he has criminal antecedent.

6. Taking into account the submissions of the parties as also the fact that they have undertaken to diligently appearing



in trial, are in custody since 12.05.2025, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 330 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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