

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59998 of 2025

Arising Out of PS. Case No.-345 Year-2025 Thana- ARA NAWADA District- Bhojpur

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1. Dhananjay Kumar @ Guddu Chaudhary @ Dhananjay Kumar Chaudhary S/O Late Dyashankar Choudhary @ Daya Shankar Chaudhary @ Ghuraho Chaudhary R/O village Anaith, P.S.- Ara Nawada, Dist.- Bhojpur
 2. Dharmendra Chaudhary @ Chhotu Chaudhary @ Dharmendra Kumar S/O Late Dyashankar Choudhary @ Daya Shankar Chaudhary @ Ghuraho Chaudhary R/O village Anaith, P.S.- Ara Nawada, Dist.- Bhojpur
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Shri Nawal Kishore Agrawal, Sr. Advocate Shri Ganesh Prasad Singh, Advocate
For the Opposite Party/s	:	Shri Narendra Kumar Singh, A.P.P.
For the Informant	:	Shri Ravindra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 15-09-2025 1. Heard Shri Nawal Kishore Agrawal, learned Senior Counsel for the petitioners, learned A.P.P. for the State and Shri Ravindra Kumar, learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 308(3), 336(3), 338, 352 and 351(2) of the BNS.
3. Learned Senior Counsel for the petitioners submits that petitioner no. 1 has antecedent of one case in which he was acquitted and petitioner no. 2 is a person with clean antecedent.
4. Learned Senior Counsel for the petitioners submits



from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that he was constructing his boundary wall over the land which he had got in his share on family partition through the Court. Further, the accused persons including the petitioners came and started abusing the informant and also asked not to construct the boundary wall. When the informant objected, it is alleged that the accused persons demanded extortion of Rs.10 lakhs and snatched Rs.10,000/- and fled away from the place of occurrence.

5. Learned Senior Counsel for the petitioners submits petitioners have been falsely implicated in the instant case by the informant for the reason that from the side of the petitioners the land was purchased through sale deed from the sister of the informant on account of which a dispute had arisen and an altercation had taken place. It is further submitted that allegation of demanding extortion and snatching Rs.10,000/- is ornamental. It is next submitted that a specific pleading to that effect that from the side of the petitioners has been made that land was purchased through sale deed from the sister of the informant at para 7 of the anticipatory bail application.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for



anticipatory bail of the petitioners. Learned counsel appearing on behalf of the informant submits that petitioners have not approached this Court with clean hands. It is further submitted that petitioners have antecedent of two cases.

7. The said submission of the learned counsel appearing on behalf of the informant is rebutted by the learned Senior Counsel appearing on behalf of the petitioners.

8. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Ara Nawada P.S. Case No. 345 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioners and if it is found that petitioner no. 1 has antecedent of more than one case and petitioner no. 2 has antecedent of even one case, it



would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner no. 1 has antecedent of only one case and petitioner no. 2 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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