

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59083 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- Mufassil District- Khagaria

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Ajay Choudhary, male, S/o Late Nityanand Choudhary, R/o Village- Jai
Prakash Nagar, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 12-09-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Muffasil P.S. Case No. 58 of 2025 registered
for the offences under Sections 191(2), 191(3), 190, 126(2),
115(2), 118(1), 118(2), 109, 352 and 351(2) & (3) of the
Bharatiya Nyaya Sanhita, 2023 (B.N.S.) and Section 27 of the
Arms Act.

3. As per the prosecution case, the informant, who is



the Sub-Inspector of Police, has alleged that he received an information that two factious in a particular area are fighting on account of some land dispute. The informant, thereafter, reached to the place of occurrence and on seeing the police party, the accused persons fled away, but two persons were apprehended, who disclosed the name of this petitioner.

4. The learned counsel for the petitioner submits that he has falsely been implicated in this case at the instance of the informant. It has been submitted that the petitioner was not present at the place of occurrence and his name has falsely been given by the local *Chowkidar*.

5. It has next been submitted that a similarly situated accused person has been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, the said order has been brought on record by way of Annexure-P/2 to this application. It has lastly been submitted that the petitioner, though carries three criminal cases against his name, but in all such cases he is on bail.

6. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

7. Considering the facts and circumstances of the



case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Muffasil P.S. Case No. 58 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present before the learned Court below on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioner will be liable to be cancelled by the concerned learned Court below.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for



cancellation of his bail-bonds.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court below shall take necessary steps for cancellation of his bail-bonds. 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.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

9. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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