

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57876 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Kaushal Chaudhary @ Anurudh Kumar @ Kaushal Chaudhari, S/O Fulo
Chaudhari @ Ful Kumar Choudhary, R/O Village- Bhadaiya, P.S-
Mohuddinagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-08-2025 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Mohiuddin Nagar P.S. Case No. 75 of 2025, dated
27.04.2025, registered under Sections 310(4), 310(6), 310(5),
317(3), 317(5) of the B.N.S. (corresponding Sections 399, 400,
402, 412, 414 of the Indian Penal Code) and Sections 25(1-B)
(a), 26, 35 of the Arms Act.

3. The prosecution case, in brief, is that on the alleged
date of occurrence, the informant, who is officer-in-charge of
Mohiuddinagar P.S., received a secret information that about 10-
12 culprits have assembled at co-accused Durgesh Kumar's
Bathan and were planning to commit offence. Acting on a tip



off, informant along with the other members of raiding party raided the house of the co-accused Durgesh Kumar. On seeing the police vehicle, accused persons tried to escape but five accused persons were apprehended by the police, who disclosed their names as Durgesh Kumar, Chhotu Kumar @ Krishna Kumar @ Bholu, Avinash Kumar @ Avinash Bharti @ Baba, Aditya Kumar @ Ashish Mishra and Sumit Kumar and also disclosed the names of his associates, who managed to flee from that place. On search, fire alms and other incriminating articles (as per seizure list) were recovered from the possession of apprehended co-accused persons.

4. It is submitted by the learned counsel for the petitioner that the name of the petitioner has surfaced on the confessional statement of one apprehended co-accused namely Sumit Kumar. There is no recovery from the conscious possession of the petitioner. The petitioner has no criminal antecedent.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the fact that there is no recovery from the conscious possession of the petitioner and the name of the petitioner has surfaced, during course of investigation, on the confessional statement of co-accused namely Sumit Kumar, let the above named petitioner, be released on bail, in the event of his



arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sahapur Patory, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 75 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C.,

(Ajit Kumar, J)

pravinkumar/-

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