

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59040 of 2025

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

Tapeshwar Chaudhary @ Thepeshwar Chaudhary S/o Mithu @ Mithu Chaudhary R/o Village - Uchchawa Tumkariya, P.S - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Semra P.S. Case No. 07 of 2025 registered for the offence punishable under Sections 334(2), 303(2) of the BNS, 2023.

3. As per the allegation made in the F.I.R. which is against unknown, some unknown miscreants are said to have stolen various articles worth Rs. 5,50,000/- from the grocery shop of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that though the petitioner has two criminal antecedents and for the said reason, his prayer for pre-arrest bail has been rejected by the learned District Court. Learned counsel



submits that for the similar allegation, two co-accused namely Anuj Sharma and Vishal Kumar have been released on pre-arrest bail by a co-ordinate Bench of this Court vide orders dated 23.06.2025 and 01.08.2025 passed in Cr. Misc. No. 38229 of 2025 and 48506 of 2025 respectively. Petitioner is also not named in the F.I.R. and no recovery of stolen articles has been made either from the house of the petitioner or from any of his close relative.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner and the fact that nothing has been recovered from the possession of the petitioner and his name has surfaced in the case on the disclosure made by the co-accused Santosh Kumar, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending in connection with Semra P.S. Case No. 07 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS and **also**



**subject to payment of Rs. 20,000/- by the petitioner in the
Chief Minister’s Relief Fund, Government of Bihar.**

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.
8. The bail application stands disposed of.

(Purnendu Singh, J)

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