

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59744 of 2025

Arising Out of PS. Case No.-93 Year-2022 Thana- GURUA District- Gaya

1. Ramadhar Choudhary @ Ramadhar Chaudhary son of Late Sagar Choudhary, Resident of Village -Lembua PS -Amas Distt -Gaya.
2. Upendra Choudhary Son of Late Rambachan Choudhary, Resident of Village -Lembua PS -Amas Distt -Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Gurua P.S. Case No. 93 of 2022, dated 01.04.2022 registered for the offence punishable under Section 395 of the Indian Penal Code.

3. As per the prosecution case, on 31.03.2022, while the informant was sleeping outside the house, one person came to him and asked for *lota* for drinking water. In the meantime, 10-12 persons entered into the house by showing pistol and tied the hands of persons of informant's house and looted cash of Rs. 53,000/-, ornaments and documents etc. from



the house and while leaving they also threatened them with dire consequences.

4. Learned counsel for the petitioners have submitted that the petitioners are innocent and they have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioners are not named in the F.I.R. and the names of the petitioners have sprung up in the confessional statement of the co-accused Upendra Paswan. Nothing incriminating has been recovered from the conscious possession of the petitioners. No test identification parade has been conducted by the prosecution till date. The co-accused Upendra Paswan person has already been granted bail by a Co-ordinate Bench vide order dated 16.12.2022 passed in Cr. Misc. No. 54141 of 2022. The petitioners carry seven criminal antecedents, however, they are on bail in all the said cases as stated in paragraph no. 3 of the bail petition. The petitioners are in custody since 28.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as petitioners' period of custody, the petitioners, above-named, are directed to be



enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge, Sherghati, Gaya, in connection with **Gurua P.S. Case No. 93 of 2022**, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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