

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63283 of 2025

Arising Out of PS. Case No.-353 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

=====

Natwar Choudhary @ Natwar Kumar S/O Ghanshyam Choudhary R/O
Village- Karauti, Ward No.- 4, P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 14-11-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Udakishunganj P.S. Case No. 353 of 2023 for the offence punishable under Sections 302, 120(B), 506 of the Indian Penal Code and section 27 of the Arms Act lodged on 16.11.2023 by the informant, Bechan Goswami.

3. As per the prosecution story, the informant alleged that while his son was going towards field, the accused persons including the petitioner herein surrounded and on the order of Pawan Goswani, Chandan and Natwar Choudhary (the petitioner) opened fire, causing injury to him. He was taken to Udakishunganj hospital and then to Madhepura but was declared dead. Accordingly, the FIR.



4. Earlier, the bail application of the petitioner has been rejected vide an order dated 24.01.2025 in Cr. Misc. No. 68691 of 2024.

5. Learned counsel for the petitioner submits that during the trial, the informant, Bechan Goswami has appeared and though he has supported the prosecution story as also the role of Chandan who opened fire causing injury, the role of the petitioner has been negated. He has provided the certified copy of the witness, Bechan Choudhary to show that during the cross examination, the informant recorded that this petitioner has no role in the present incident. The submission is that though he has criminal antecedent and is in custody since 18.11.2023.

6. Let the certified copy of the deposition of Bechan Goswami be kept on record.

7. Learned APP opposes the prayer submitting that the trial is on and he can prove his innocence there.

8. Considering the submissions of the parties as also the new development that has come in which the informant has negated the role of the petitioner, he is in custody since 18.11.2023, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.



9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IX, Madhepura, in connection with Udakishunganj P.S. Case No. 353 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

