

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66273 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- JOGSAR District- Bhagalpur

1. Gopal Chandra Choudhary S/o- Late Dr. H. M. Choudhary Resident Of Mohalla 03, Yadunath Sarkar Lane, Begali Tola, Manik Sarkar, Ps- Jogsar, Dist- Bhagalpur
2. Gourav Choudhary S/o- Gopal Chandra Choudhary Resident Of Mohalla 03, Yadunath Sarkar Lane, Begali Tola, Manik Sarkar, Ps- Jogsar, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-09-2025 Heard learned Counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Jogsar P.S. Case No. 68 of 2025 for the offence registered under sections 318(4), 316(2), 351(2) of BNS lodged on 24.03.2025 by the informant Nandlal Sharma.

3. As per the prosecution story, the informant alleged that he is the care taker of Yash Complex in Bhagalpur City and the same was given to the petitioners for functioning of Utsav Khana Khazana on the monthly rent of Rs. 1,20,000/- and agreement to this effect was signed in the year 2020. Altogether, Rs. 46,69,000/- accrued of which only Rs. 50,000/- was paid



and rest of the amount has not been cleared which followed the present case.

4. Learned Counsel for the petitioners submit that a perusal of the FIR would show that it is purely a civil dispute in which the rent has not been paid as alleged, instead of moving before a competent Civil Court for the redressal of the grievance, the FIR. They do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also the fact that have emerged coupled with the fact that the two petitioners have no criminal antecedent and one of them is seventy years of age, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Bhagalpur in connection with Jogsar P.S. Case No. 68 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 petitioners 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;

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

(Rajiv Roy, J)

Vijay Singh/-

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