

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69034 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Suman Choudhary @ Suman Chaudhary S/o Manikant Choudhary R/o
Village- Rampur Jalalpur, Ward No 20, Under Nagar Parishad Dalsingsarai,
PS- Dalsinghsarai, Distt - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Jitendra Kumar Sinha, learned counsel for
the petitioner and Mr. Sunil Kumar Pandey, learned APP for the
State.

2. The petitioner is apprehending his arrest in
connection with Dalsingsarai P.S. Case No. 101 of 2025, F.I.R.
dated 18.03.2025 registered for the offences punishable under
Sections 126(2), 115(2), 352, 351(2), 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Allegation against the petitioner is that he along with
other co-accused persons have assaulted the informant and the
petitioner has pointed out pistol upon the informant.

4. Learned counsel for the petitioner submits that the
petitioner having clean antecedent and he has been falsely
implicated in the present case. From perusal of the F.I.R. it



appears that due to some land dispute the present occurrence had taken place and there is case and counter case between the parties. It also appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 17.03.2025 but the present F.I.R. was instituted on 18.03.2025. Although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and in the F.I.R. the informant has alleged that the petitioner has pointed out pistol upon the informant.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation against the petitioner and there is case and counter case between the parties, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Dalsingsarai, District- Samastipur in connection with Dalsingsarai P.S. Case No. 101 of 2025, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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