

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71618 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- MANSURCHAK District- Begusarai

Kanhaiya Kumar Chaudhary S/o Late Sitaram Chaudhary R/o Village -
Nayatol, P.S - Mansurchak, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Mansurchak P.S. Case No. 65 of 2025 registered for the offences
punishable under Sections 109, 303 (2), and 3(5) of BNS 2023 and
Section 27 of the Arms Act.

3. As per prosecution case, petitioner and other entered
into the house of the informant and broke the lock of box and took
Rs. 45,500/- (Forty Five Thousand and Five Hundred) from the box.
It is further alleged that when informant raised the voice then the co-
accused Shubham Kumar fired upon the informant which did not hit
the informant and she saved herself.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 11.07.2025 and petitioner bears criminal
antecedent of one case and orally submits that petitioner is on bail in



the said case. Learned counsel further submits that there is no specific allegation against the petitioner. The specific allegation of firing upon the informant is against co-accused Shubham Kumar. He further submits that informant has taken the loan of Rs. 50,000/- from the petitioner on the pretext of marriage of her daughter and she was not returning it since long and petitioner went to the place for demanding the said amount then he has falsely been implicated in the case. From the perusal of FIR, it appears that there are neither any firearm injury which has been caused to any one nor any sign of firing was found at the place of occurrence which questions the authenticity of the prosecution story. So far as the allegation of snatching of Rs. 45,000/- is concerned, the same is superficial in nature and only with an intention to garb the amount of the petitioner. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is allegation against the petitioner and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, there is no specific overt-act attributed against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner



above named 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 Chief Judicial Magistrate, Begusarai in connection with Mansurchak P.S. Case No. 65 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

vashudha/-

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

