

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80144 of 2025**

Arising Out of PS. Case No.-104 Year-2025 Thana- Madhusudanpur District- Bhagalpur

1. Amarjeet Choudhary @ Amarjeet Kumar Choudhary Son of Sachidanand Choudhary Resident of Village - Bhimkitta, Police Station - Madhusudanpur, District - Bhagalpur
2. Amit Choudhary @ Amit Kumar Choudhary Son of Sachidanand Choudhary Resident of Village - Bhimkitta, Police Station - Madhusudanpur, District - Bhagalpur
3. Sachidanand Choudhary Son of Late Karmani Choudhary Resident of Village - Bhimkitta, Police Station - Madhusudanpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                             |
|----------------------|---|-------------------------------------------------------------|
| For the Petitioner/s | : | Mr. S.M. Ashraf, Sr. Advocates<br>Mrs. Rana Hason, Advocate |
| For the State        | : | Mr. Raj Ballabh Singh, APP                                  |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      11-12-2025                      Heard Mr. S.M. Ashraf, learned Senior counsel for the petitioners and Mr. Raj Ballabh Singh, learned APP for the State.

2. After some argument, learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner no. 1, namely, Amarjeet Choudhary @ Amarjeet Kumar Choudhary.

3. Permission is accorded.

4. The application with respect to petitioner no. 1, namely, Amarjeet Choudhary @ Amarjeet Kumar Choudhary is dismissed as withdrawn.

5. The petitioners (except petitioner no. 1) are



apprehending their arrest in connection with Madhusudanpur P.S. Case No. 104 of 2025, F.I.R. dated 03.07.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 352, 351(2) & 3, 3(5) of the Bharatiya Nyaya Sanhita (BNS).

6. Allegation against the petitioners is that they called the informant and started abusing and beating him with intention to kill him. Accused person Amarjeet Choudhary had an iron rod in his hand with which he hit him on his head and due to which a lot of blood started flowing from his head then the accused persons threw him on the ground and beat him badly with kicks and blows and snatched the gold chain also.

7. Learned Senior counsel for the petitioners submits that the petitioner no. 3 having clean antecedent and petitioner no. 2 carries one more case other than the present one in which he is on bail. Learned Senior counsel for the petitioner submits that it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 08.06.2025 but the present F.I.R. was instituted on 03.07.2025 after delay of about 25 days without any giving explanation of delay. It appears from the F.I.R. that there is specific allegation of assault attributed against the petitioner no. 1, namely, Amarjeet Choudhary @ Amarjeet Kumar Choudhary and there is no specific allegation of any assault of or overt act against these petitioners in the present case.



8. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

9. Considering the facts and circumstances of the case that there is specific allegation of assault attributed against co-accused person namely Amarjeet Choudhary @ Amarjeet Kumar Choudhary and the F.I.R. was instituted after delay of 25 days and there is no specific allegation of any assault or overt against petitioner nos. 2 and 3, let the petitioners (except petitioner no. 1), above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Madhusudanpur P.S. Case No. 104 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) Petitioners (except petitioner no. 1) 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.



(2) If the petitioners (except petitioner no. 1) tamper 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 petitioners (except petitioner no. 1) and in case at any stage, it is found that the petitioners (except petitioner no. 1) have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners (except petitioner no. 1). 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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