

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3086 of 2025

Arising Out of PS. Case No.-76 Year-2019 Thana- SIKRAUL District- Buxar

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1. Sri Ram Choudhary, S/O Late Hari Choudhary, R/O Village- Paharpur, P.S- Sikroul, Distt.- Buxar.
 2. Ojha Choudhary @ Yogendra Choudhary, S/O Late Hari Choudhary, R/O Village- Paharpur, P.S- Sikroul, Distt.- Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Manish Rai Sharma, Advocate.
For the State	:	Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Sikroul PS. Case No. 76 of 2019 dated 30.6.2019 registered for the offences punishable under Sections 148, 149, 341, 323, 308, 427, and 353 of the Indian Penal Code.

3. As per allegation, Police arrested co-accused Janardan Choudhary who was wanted in Sikroul P.S. Case No. 74 of 2019 but the petitioners along with other co-accused persons attacked the police officials to release co-accused Janardan Choudhary and they were successful also. Thereafter,



FIR was lodged against 21 named persons including the petitioners and 50 unknown persons.

4. learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact, the petitioners were not present at the place of occurrence and their names have transpired only on account of suspicion. He also submits that similarly situated co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.02.2024 passed in Cr. Misc. 11432 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner No. 1 has clean antecedent whereas petitioner No. 2 has been made accused in another case in which he is on bail.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned court below in connection with Sikroul P.S. Case No. 76 of 2019, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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