

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8297 of 2026

Arising Out of PS. Case No.-656 Year-2025 Thana- BODHGAYA District- Gaya

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Rohit Chaudhary @ Rohit Kumar Chaudhary S/o Ishwar Chaudhary Resident
of Village- Kharia, Police Staiton- Bodh Gaya, Distict- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Bodh Gaya P.S. Case No. 656/2025 registered
for the offence(s) under Section(s) 126(2), 115(2), 74, 352,
351(1), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023
(B.N.S.).

3. The prosecution case is to the effect that the named
accused persons are said to have abused and, thereafter,
assaulted the informant and others.

4. The learned counsel for the petitioner submits that
the allegation against the petitioner is that he took out his pistol



and assaulted on the head of the informant causing injury to him while the other co-accused person, namely, Roushan Chaudhary, had snatched away the gold chain and the informant even received fracture on his hand. It has been submitted that the petitioner has falsely been implicated in this case and there is no specific allegation of overt act against him, however, it has been stated that it is alleged that he had assaulted the informant with the *butt* of the pistol, causing severe head injury to him, but no reference with regard to the same has been made even in the impugned order. It has also been submitted that the case is not made out for the offence under Section 109 of the B.N.S. It has been submitted that the allegations levelled against the petitioner are general and omnibus in nature and, in fact, the present case was lodged as a counter blast to Bodh Gaya P.S. Case No. 655 of 2025, lodged by the petitioner's side. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in



the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Bodh Gaya P.S. Case No. 656/2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in



terms of the above-mentioned order shall not be delayed
for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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