

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16519 of 2026

Arising Out of PS. Case No.-200 Year-2025 Thana- BARBIGHA District- Sheikhpura

1. Azad Kumar S/o Late Dharamveer Mahto Resident of Village - Narayanpur, P.S.- Barbigha, Dist.- Sheikhpura
2. Santosh Choudhary @ Santosh Kumar Choudhary S/o Basudev Choudhary Resident of Village - Narayanpur, P.S.- Barbigha, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 07-04-2026 1. Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 308(2), 115(2), 118(1), 109(1), 303(2), 352 and 351(2) of the BNS, 2023 as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case under the Excise Act and the informant alleges that his brother Dhananjay on 26.10.2025, at 08:00 p.m., was returning home from the house of Monu when he was intercepted by 12 named accused persons including the petitioners along with 10 unknown accused and the accused persons stopped his car near a temple and demanded extortion of Rs.50,000/- on the pretext that he earns a lot. On objection, Ankit



and Kaila assaulted the brother of the informant by rod causing injury on back of his head and his brother fell unconscious thereafter Santu assaulted him by sword causing injury on back of head. Further, Gautam assaulted by knife causing injury over left eyebrow of the brother of the informant and the accused snatched his gold chain worth Rs.1,50,000/- and took out Rs.20,000/- and while fleeing Mantu and Ankit threatened that if any case is instituted then he will be implicated in a case under the SC/ST Act and also fired.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault and abuse is alleged against the petitioners. It is next submitted that petitioner no. 2 is the father of Ankit, as such, he also came to be implicated only with a view to coerce Ankit into submission. It is also submitted that if the privilege of anticipatory bail is granted to the petitioners, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is submitted that no doubt, the injury suffered by the injured has been opined to be grievous but then petitioners are not alleged to have assaulted.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Barbigha P.S. Case No. 200 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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