

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22315 of 2026**

Arising Out of PS. Case No.-562 Year-2025 Thana- BANKA District- Banka

Shiv Shankar Choudhary @ Rahul @ Shivshankar Son of Pappu Choudhary
Resident of Village- Ward no. 7, Babutola (Azad Chowk) ps and Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-04-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Banka P.S. Case No. 562 of 2025, F.I.R dated 12.12.2025 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 11.12.2025 at around 4:00 PM, while the informant was going to the market, the petitioners and co-accused intercepted him near the Banka Civil Court premises. They abused him and attempted to abduct his three-year-old daughter. When he resisted, they assaulted him—one accused struck his head with an iron rod, causing injury, and another tried to strangle him. They also allegedly



snatched his wife and confined her in their house.

4. Learned counsel for the petitioner submits that as per the allegations levelled in the F.I.R., the petitioner is said to have assaulted by means of iron rod on the head of the informant but the nature of injury does not support the allegations levelled in the F.I.R. The present case has been lodged by the informant, who is the husband of one Manisha Singh, who has also lodged a case against the informant bearing Banka P.S. Case No.563 of 2025 and the petitioner has been unnecessarily dragged in the instant case for the reason that the wife of the informant is residing with this petitioner. It has next been submitted that the allegation with regard to abducting the daughter of the informant is false and frivolous, as she is presently residing in the house of the informant.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the nature of allegations as also the injury does not support the allegations as levelled in the F.I.R., and there being a personal fight between the husband (informant) and the wife of the informant, the petitioner has been unnecessarily dragged in the instant case. Accordingly, this Court is inclined to grant the privilege of



anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 562 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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