

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35181 of 2026

Arising Out of PS. Case No.-343 Year-2025 Thana- BIRAUL District- Darbhanga

Shivam Chaudhary @ Shivam kumar chaudhary @ Kalu Son of Chandra Kishor Chaudhary @ Gopal Chaudhary @ Chandrkishor Choudhry, Resident of Village- Sahasram Bathnaha (Tol), P.S.- Biraul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms. Mili Kumari, Advocate
For the State : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 21-05-2026 The matter was heard *via* video conferencing mode.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner seeks bail in connection with Biraul P.S. Case No. 343 of 2025, registered for the offences punishable under Sections 61(2), 109 and 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

4. As per prosecution case, while the informant was sitting with the petitioner in his *dalan*, in the meantime, two unknown persons riding on a motorcycle came there and opened fire causing fire-arm injury on the left thigh of the informant.

5. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. The FIR is lodged against two unknown persons and the petitioner is not named in the FIR. The name of the petitioner sprung up in the present case as conspirator during the course of investigation on the basis of confessional statement of the co-accused Saurav Kumar Jha. Learned counsel lastly submits that petitioner has one criminal antecedent in which he is on bail and he is in custody since 21.02.2026.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and also the fact that petitioner was not initially named as an accused and he is not even the assailant as well as the fact that his name came on the confessional statement of the co-accused during investigation and further considering his period of custody, this Court is inclined to grant bail to the petitioner.

8. Accordingly, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Biraul, Darbhanga, in connection with



Biraul P.S. Case No. 343 of 2025.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observation shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

Shahnawaz/-

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