

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69762 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- BIRAUL District- Darbhanga

Ganesh Chaudhary son of Late Lalo Chaudhary Resident of Village-
Manikpur, Saho, Post- Sahri, Ps- Biraul, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Biraul P.S. Case No. 133 of 2025 registered for the alleged offences under Sections 329(4), 126(2), 115(2), 109, 74, 352 and 351(2) r/w Section 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, in the background of earlier dispute, the petitioner and other co-accused persons abused and assaulted the informant. The petitioner opened fire on the informant who sustained injury in his right hand and co-accused Manoj Chaudhary opened fire on one of the female inmates of the informant's family, who received a gunshot injury in her right thigh.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the informant is himself a notorious criminal and as the petitioner is on inimical terms with the informant, he has been falsely implicated in the instant case. The informant did not receive any injury and there is no injury report. Learned counsel further submits that the petitioner has also filed a complaint case against the informant and others vide CR No. 110 of 2025. Learned counsel further submits that there is no injury report of the informant which falsifies the allegation against the petitioner. The petitioner is in custody since 19.05.2025 and charge-sheet has been submitted. The petitioner is having antecedent of one case but the police has submitted final form in that case.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of injury report of the informant and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Biraul, Darbhanga/court concerned in connection with Biraul P.S. Case No. 133 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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