

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72465 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- Mufassil District- Khagaria

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1. Jitendra Chaudhary S/o- Anil Chaudhary Village- Jai Prakash Nagar PS- Khagaria District-Khagaria
 2. Bambam Chaudhary S/o- Late Sunil Chaudhary Village- Jai Prakash Nagar PS- Khagaria District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioners at the outset seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2, namely, Bambam Chaudhary, who was arrested during pendency of the instant anticipatory bail application.

3. Permission is accorded.

4. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1)(2), 109, 352, 351(2), 351(3) of B.N.S. & Section 27 of the Arms Act.



5. Learned counsel for the petitioner submits that petitioner no.1 has antecedent of seven cases and the informant alleges that informant was informed by the S.H.O. that firing is being resorted to in between two groups at Naya Tola Rahimpur Diyara, on account of land dispute, accordingly the informant reached the place of occurrence and on seeing the police force, the accused persons fled but Babish and Dinesh were apprehended and the chowkidar disclosed the names of the accused persons including the petitioner who fled.

6. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that Babish and Dinesh were apprehended but they did not disclose the name of the petitioner rather the name was disclosed at the instance of chowkidar. It is further submitted that once an accused is implicated in a case the police starts implicating mechanically. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, above-named, in



the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Muffasil P.S. Case No.58/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. Further, one of the bailors of the petitioner shall be his uncle (Phupha), namely, Ramashray Singh, who has sworn the affidavit.

10. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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