

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80700 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- Babarganj District- Bhagalpur

Rakesh Chowdhary S/o Late Ganesh Chowdhary Resident of - Kutubganj,
Safrullachak, P.S - Babarganj, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritik Shah, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Babarganj P.S. Case No. 49 of 2025 instituted for the offence under Sections 126(2), 127(2), 115(2), 109, 190, 191(2), 191(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on 19.03.2025, while returning after not finding his friend Shubham Sonar at home, informant was stopped by six accused persons who inquired about his friend and then assaulted him, snatched his mobile phone, and resorted to firing, from which he narrowly escaped.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.06.2025. Petitioner bears seven criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that from perusal of the FIR, it would manifest that there is no specific allegation against the petitioner. So far as injury of the injured person is concerned, the same is found to be simple in nature.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being no specific allegation against the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babarganj P.S. Case No. 49 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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