

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73741 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- NOORSARAI District- Nalanda

Baban Choudhary @ Baban Kumar, S/o Dashrath Prasad Choudhary, R/o
Village - Adampur, P.S. - Giriyak, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shree Kant Vaidya, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 09-01-2026 Heard the learned counsel for the petitioner and the
learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in connection with Noorsarai P.S. Case No. 199 of 2024 registered for the offence(s) punishable under Section(s) 364, 364(A), 368, 467 and 120(B) of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that he was a petitioner in a contempt proceeding and when he came out from the premises of the High Court, the named accused persons including the petitioner picked the informant and forcibly took him in the *Scorpio* vehicle and later dragged him out and assaulted him brutally and had threatened him to return Rs. 40,00,000/-, which was given for obtaining government job.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on some personal dispute. It has further been submitted that the allegation leveled against the petitioner is general and omnibus and from the perusal of the injury report, it would be evident that the injury are superficial and no grievous injury has been sustained by the informant. It has also been submitted that co-accused persons, namely, Dharmveer Kumar, Pawan Kumar Choudhary, Rahul Kumar, Suryamani Paswan, Kaushal Kumar and Manish Kumar have all been granted bail by the learned Court below. It has lastly been submitted that the petitioner carries no criminal antecedent and he is in custody since 15.08.2025.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 15.08.2025, let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Noorsarai



P.S. Case No. 199 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

U		T	
---	--	---	--

