

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78393 of 2025

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

Sanatan Choudhary S/o Mahesh Chaudhary R/o Village- Rahimpur
(Charkhutti), P.S.- Muffassil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Smita Shreeyash
For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. 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) and 351(3) of B.N.S. as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of seven cases and the informant alleges that he received an information on 23.04.2025 at 8.45 A.M. that two groups at Rahimpur Diyara on account of dispute relating to land are firing against each other, accordingly, the informant reached the place of occurrence and on seeing the police force, the accused persons fled away but Babish Kumar and Dinesh Tanti were apprehended and the Chawkidar



disclosed the name of the accused persons, who fled away, including the petitioner.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that Babish Kumar and Dinesh Tanti were apprehended but then they did not disclose the name of the petitioner, rather the name of the petitioner was disclosed at the instance of the Chawkidar. It is next submitted that no doubt, petitioner has antecedent of seven cases but then the nature of allegation as alleged in the FIR is also to be appreciated. It is also submitted that it does not appear probable that the Chawkidar with such precision could have named 18 accused persons. It is further submitted that once an accused is implicated in a criminal cases, the police start implicating mechanically without holding a proper investigation. It is next submitted that if privilege of anticipatory bail is granted, petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner 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 Khagaria Muffasil P.S. Case No. 58 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, namely, Mahesh Chaudhary.

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

9. Let a copy of this order be sent to the concerned P.S. through learned trial court.

(Satyavrat Verma, J)

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