

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81877 of 2025**

Arising Out of PS. Case No.-119 Year-2019 Thana- BARACHATTI District- Gaya

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1. Ramdhar Choudhary @ Ramadhar Chaudhary S/o Late Sagar Choudhary  
R/o Village- Lembua (Bahera), PS- Amas, Distt- Gaya
  2. Upendra Choudhary S/o Late Rambachan Choudhary @ Shadhu Chaudhary  
R/o Village- Lembua (Bahera), PS- Amas, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Singh, Advocate  
For the State : Mr. Nand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      31-01-2026                      Heard Mr. Ashok Singh, learned counsel for the  
petitioners and Mr. Nand Kumar, learned APP for the State.

2. Petitioners seek bail, who are in custody since  
22.08.2025, in connection with Barachatti P.S. Case No. 119 of  
2019, F.I.R. dated 14.03.2019 registered for the offences  
punishable under Section 396 of the Indian Penal Code and  
Section 25(1-b)a/26/35 of the Arms Act.

3. The prosecution case, in brief, is that on 14.03.2019  
when the informant was returning to his house, he heard the  
sound of firing and rushed towards his house and found his  
father lying on floor dead due to firearm injury.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in the present case. He further submits that the petitioners are not named in the F.I.R. and the name of the petitioners have been transpired on the basis of confessional statement of co-accused persons namely Sitabi Paswan and co-accused Sitabi Paswan in his confessional statement has stated that one Kamlesh Singh has fired upon the victim which was recorded by the police in paragraph-47 of the case diary and the statement of co-accused Kamlesh Singh has also recorded by the police in paragraph-21 of the case diary in which he has stated that he has fired upon the victim and said Kamlesh Singh has been granted bail by a Coordinate Bench of this Court vide order dated 04.07.2025 passed in Cr. Misc. No. 30531 of 2025 and another co-accused person namely Ssurendra Yadav has been granted bail by this Court vide order dated 19.03.2025 passed in Cr. Misc. No. 16880 of 2025 respectively. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 22.08.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners carry eight more cases other than the present one but fairly submits on the basis



of paragraph-3 of the bail petition that the petitioners are on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the person who has confessed his guilt that he has fired upon the victim has been granted bail by a Coordinate Bench of this Court and co-accused person has been granted bail by this Court, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-1st, Sherghati, Gaya in connection with Barachatti P.S. Case No. 119 of 2019, subject to the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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