

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91199 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- BAIRGACHHAI District- Araria

Bablu Choudhary Son of Narayan Choudhary Resident of village - Manikpur,
Ward No.- 08, P.S.- Bairgachhi, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard Mr. Ramesh Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Binod Kumar
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bairgachhi P.S. Case No. 90/2025 registered for the
offence(s) punishable under Sections 126(2), 115(2), 118(1),
109, 303(2), 76, 352, 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioner
along with other accused assaulted all the informant and his
family members.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely
been implicated in the present case. The allegation against the
petitioner cannot be sustained in view of the fact that there is a



case and counter case between the parties, arising out of the same incidence, which shows that there was free fight and in the same course of incidence, the petitioner may have caused some injuries on the person of the informant, without intention. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, there is a case and counter case between the parties, arising out of the same incidence, which shows that there was free fight and in the same course of incidence, the petitioner may have caused some injuries on the person of the informant, which may be without intention and the petitioner is having clean antecedent, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned District Court where the case is pending /
Concerned Court in connection with Bairgachhi P.S. Case No.
90/2025 , subject to the conditions as laid down under Section
482(2) of the BNSS.

**8. The learned District Court is directed to verify
the criminal antecedent of the petitioner and if it is found
that the petitioner is involved in some other cases, as what
has been stated in paragraph no.3 of the bail application,
this order will automatically lose its force.**

(Purnendu Singh, J)

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