

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90909 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- ROSERA District- Samastipur

Thako Chaudhary @ Thako Chaudhari S/O Late Jivachh Chaudhari @
Jiwachh Chaudhary Resident of Village - Bharwari, P.S- Rosera , District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr.Pramod Kumar Singh, learned counsel for
the petitioner and Mr.Anish Chandra, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
15.10.2025 in connection with Rosera P.S. Case No. 239 of
2024, F.I.R. dated 14.10.2024 registered for the offence
punishable under Sections 191(2), 190, 115(2), 117(2), 109,
303(2), 324(4), 352, 351(2) of BNS, 2023.

3. As per FIR, specific allegation against co-accused
person, namely, Saroj Chaudhary is that he assaulted to wife of
the informant causing injury on her head and co-accused Raja
Chaudhary assaulted to the son of the informant by means of
Khanti. Petitioner is at best the member of the mob.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner. Specific allegation against co-accused person, namely, Saroj Chaudhary is that he assaulted to wife of the informant causing injury on her head and co-accused Raja Chaudhary assaulted to the son of the informant by means of Khanti. There is no specific allegation against the petitioner, at best, the petitioner may be a member of the mob. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Rosera, Samastipur in connection with Rosera P.S. Case No. 239 of 2024, with the following conditions:-



(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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