

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5627 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- JAYRAMPUR District- Sheikhpora

1. Fulchand Chaudhary S/o Ramji Chaudhary R/o vill - Madarichak, P.S. -
Jairampur, Distt.- Sheikhpora
2. Naresh Chaudhary S/o Ramji Chaudhary R/o vill - Madarichak, P.S. -
Jairampur, Distt.- Sheikhpora
3. Mitu Devi @ Mitu Chaudhary W/o Fulchand Chaudhary R/o vill -
Madarichak, P.S. - Jairampur, Distt.- Sheikhpora
4. Sarita Devi W/o Naresh Chaudhary R/o vill - Madarichak, P.S. - Jairampur,
Distt.- Sheikhpora
5. Ramji Chaudhary S/o Late Jago Chaudhary R/o vill - Madarichak, P.S. -
Jairampur, Distt.- Sheikhpora

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr. Dinkar Kumar, learned counsel for the

petitioners and Md. Matloob Rab, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Jairampur P.S. Case No. 63 of 2024, F.I.R.
dated 27.08.2024 for the offences punishable under Sections
126(2), 115(2), 110, 75, 3(5) of the B.N.S.

3. According to prosecution case, petitioners have
assaulted to the husband of the informant and other family
members. It is further alleged that petitioner no.1 has made viral



the obscene photo of 12 years minor daughter of the informant.

4. Learned counsel for the petitioners submits that petitioner nos.2, 3, 4 and 5 have clean antecedent and petitioner no.1 carries one more case other than the present one and they have falsely been implicated in the present case. He further submits that the present case is the counter blast of the Jairampur P.S. Case No. 62/2024 filed by the petitioners' side against the informant and her family members. He further submits that it appears from the FIR that although the petitioners are named in the FIR but there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that petitioners are named in the FIR and with a common intention they have assaulted to the husband of the informant and other family members and apart from that petitioner no.1 carries one more case other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that the petitioner no.1 is on bail in the pending matter.

6. Considering the aforesaid facts that the petitioner



nos.2, 3, 4 & 5 have clean antecedent and there is no specific allegation of any assault or overt act against the petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Jairampur P.S. Case No. 63/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds 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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