

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4515 of 2025

Arising Out of PS. Case No.-316 Year-2024 Thana- WARISLIGANJ District- Nawada

Subelal Choudhary @ Suvelal Chaudhary Son of Late Rameshwar Chaudhari
Resident of Village - Chakdharpur Gourachhni, Ward No.8, P.S. -
Warisaliganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Warsaliganj P.S. Case No. 316 of 2024 instituted for the offences under Sections 126(2), 115(2), 109, 118(1), 3(5) of the B.N.S., 2023.

3. As per prosecution case, the accusation against the petitioner is of assaulting the Informant's husband by means of Pasli upon his head due to which he sustained cut injury over his head. It is also alleged that he also assaulted upon his hands and legs.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He submits that the date of occurrence is 14.08.2024 whereas the F.I.R. was lodged on 16.08.2024 without disclosing any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. Both the parties are co-villagers and some pathway dispute is pending between them. There is no eye-witness to the alleged occurrence. Even the Informant is not the eye-witness in this case. He further submits that from the injury report, it appears that the injury nos. 1 & 2 are simple whereas injury no.3 is grievous in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.09.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned



Court in connection with Warsaliganj P.S. Case No. 316 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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