

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6209 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Abhiratan Chaudhary S/O Late Raj Kumar Chaudhary Resident of village-
Hathiyahi, P.S.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Piprakothi P.S. Case No. 131 of 2024 dated 20.06.2024 registered for the offences punishable u/ss 341, 323, 324, 307, 354, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 18.06.2024, the informant's pattidar Abhiratan Chaudhary (petitioner) armed with sword, Manu Chaudhary armed with iron rod and Bachchiya Devi came at the door of the informant and the petitioner and the co-accused, Manu Chaudhary dashed the informant's husband Ranjeet Chaudhary and the co-accused, Bachchiya Devi ordered to kill him. On the said order, the petitioner assaulted the informant's husband with sword on his



head due to which he sustained head injury with oozing of blood and the informant's husband fell down on the ground and became unconscious. When the informant's father-in-law Raghuvir Sahani came to save him, the co-accused, Manu Chaudhary assaulted him with iron rod due to which he sustained injury on his left shoulder and he also became unconscious. The co-accused, Bachchiya Devi assaulted the informant and the co-accused, Manu Chaudhary torn her cloth due to which she became nude. Thereafter, the villagers came there and pacified the matter and the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 18.06.2024 but the F.I.R. was lodged on 20.06.2024 and there is no explanation for this delay. Nothing has been recovered from the conscious possession of the petitioner. Both parties have made compromise after permission of the concerned court and also compromise petition (as annexed at Annexure-2) has been filed before the concerned court. The petitioner has four criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 22.10.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner and submitted that the specific allegation is against the petitioner who assaulted the informant's husband with sword on his head. As per the impugned order, the informant's husband sustained injuries on frontal head and left temporal parietal region and the injuries are grievous in nature caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Piprakothi P.S. Case No. 131 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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