

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9696 of 2025

Arising Out of PS. Case No.-555 Year-2022 Thana- CHANDAUTI District- Gaya

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1. Dinesh Chaudhary S/O Raj Kumar Chaudhary R/O Vill.-Kewali, P.S-
Chandauti, District- Gaya.
 2. Guddu Chaudhary S/O Raj Kumar Chaudhary R/O Vill.-Kewali, P.S-
Chandauti, District- Gaya.
 3. Arun Chaudhary S/O Raj Kumar Chaudhary R/O Vill.-Kewali, P.S-
Chandauti, District- Gaya.
 4. Malti Devi @ Mano Devi W/O Raj Kumar Chaudhary R/O Vill.-Kewali,
P.S- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritanshu Dangi, Advocate.
Md. Aatif Iqbal, Advocate.
For the State : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the
petitioners, apprehending their arrest, in connection with
Chandauti P.S. Case No. 555 of 2022 dated 10.12.2022,
registered for the offences punishable under Sections 341, 504,



506, 323, 379 and 308/34 of the Indian Penal Code.

3. As per allegation, the petitioners and other co-accused assaulted the informant and his family members by *lathi, danda*, rod and *Garansa*.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact the petitioners/accused side and informant side are next door neighbours and there is demarcation wall between houses of both sides. There is fencing with piercing features. However, on refusal of the informant side to remove the fencing and replacing it by Bamboo, the altercation took place resulting into injuries of both side and filing case and counter case. He also submits that accused side have also filed counter case bearing Chandauti P.S. Case No. 561 of 2022 for the offences punishable under Sections 341, 504, 323, 325, 506, 379/34 of the Indian Penal Code, Sections 3(i)(r)(s) and 3(2)(v-a) of SC/ST Act. A copy of the said FIR has been filed across the board and the same is on record. He also submits that the accused sides are scheduled castes community belongs to weaker section of the society.

5. It is also stated in paragraph no. 2 of the bail



petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Gaya, in connection with Chandauti PS. Case No. 555 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of



the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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