

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10544 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Saurav Kumar Chaudhary S/o- Sachidanand Chaudhary R/o- Nandpur, P.S-
Suraj Garha, Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 08-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and subsequently Section 307 IPC has been added.

3. The allegation in the first information report is that the petitioner had intercepted the informant and snatched Rs. 18,000/- from him on the point of pistol and further on protest, he also assaulted him with the pistol on his head and below his eyes. Further, the informant's brother who had intervened was also assaulted by means of iron rod and bricks.

4. Learned counsel for the petitioner submits that the entire story of snatching away of Rs. 18,000/- from the



informant is false and as a matter of fact, it was actually the petitioner who was being bullied by the two brothers. The materials collected during the investigation also indicate that the entire story of theft has not been proved and hence, the case has not been found true under Section 379 of the IPC. Further, the independent witnesses who have been examined have all stated in paragraphs 7 and 8 that actually the dispute took place on account of the fact that the slipper of the informant was hidden by the petitioner due to which some brick batting had taken place. The father of the informant has been examined who also does not state the uses of any pistol etc. in the said occurrence. However, the injury report of the informant and his brother would show that while the informant's brother has received simple injury, the injury received by the informant is grievous in nature which is on the nasal bone and there is no intracranial bleeding or contusion. It has further been submitted that at best it would be a case of throwing stone which hit the informant on his nose and no intention to cause death would be attracted in the present facts and circumstances and hence, no case under Section 307 of the IPC would be made out.

5. Learned APP for the State has opposed the application for anticipatory bail.



6. In view of the facts and circumstances and also considering the fact that the petitioner is a young student with no criminal antecedent, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Suraj Garha P.S. Case No. 149 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S. subject to the further condition that one of the bailors will be father of the petitioner.

(Soni Shrivastava, J)

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