

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21335 of 2025

Arising Out of PS. Case No.-201 Year-2024 Thana- BARIYARPUR District- Munger

1. Mala Devi W/O - Raja Ram Choudhary Resident of Vill- Kalyanpur, P.S.-
Bariyarpur, District- Munger
2. Raja Ram Choudhary Son of Late Roopan Choudhary Resident of Vill-
Kalyanpur, P.S.- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarkeshwar Pd. Verma, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2025 Heard Mr.Tarkeshwar Pd. Verma learned counsel for
the petitioner, Mr. Dhananjay Kumar Gupta, learned counsel for
the informant and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Bariyarpur P.S.Case No.201 of 2024, FIR
dated 09.09.2024 registered for the offences punishable under
Sections 126(2), 115(2), 109, 76, 352, 351(2), 351(3), 3(5) of
Bhartiya Nyay Sanhita (B.N.S.), 2023.

3. Earlier the petitioners have moved before this Court
in Cr. Misc. No.9163 of 2025 and the same was dismissed as
withdrawn with liberty to file a fresh application vide order
dated 07.03.2025.



4. Allegation against the petitioners is that they alongwith other co-accused persons strangled neck of informant and they had beaten on her head with bricks due to which her head was fractured.

5. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. It appears from the FIR that due to petty dispute (land), the present occurrence had taken place and both the parties are agnates and there is case and counter case. Although there is specific allegation against the petitioners that they assaulted to the informant and her family members but the injury report suggests that all the injuries inflicted upon them is simple in nature.

6. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioners and submits that petitioner No.1 carries two more cases and petitioner No.2 carries one more case other than the present one but fairly submits that they are on bail in all the cases, as ,mentioned in para-3 of the anticipatory bail petition.

7. Considering the aforesaid facts, there is case and counter case, injury inflicted upon the injured persons are



simple in nature, let the petitioners, above named, in the event of their 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 bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Munger in connection with Bariyarpur P.S. Case No.201 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 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 their absence on two consecutive dates without sufficient reason, their bail bonds 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 antecedents, the court below shall take step for



cancellation of bail bond 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)

Nitesh/-

U		T	
---	--	---	--

