

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22911 of 2025

Arising Out of PS. Case No.-433 Year-2024 Thana- DINARA District- Rohtas

1. Ramjee Chaudhary @ Ramjee Singh Son of Late Ram Nivas Chaudhary Village- Bhanas Tola, PO- Belwaiya, PS- Dinara, District- Rohtas
2. Lakshman Chaudhary son of Late Ram Nivas chaudhary Village- Bhanas Tola, PO- Belwaiya, PS- Dinara, District- Rohtas
3. Akhilesh Chaudhary @ Akhilesh Kumar Son of Ramjee Chaudhary Village- Bhanas Tola, PO- Belwaiya, PS- Dinara, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Apurv Harsh, Advocate
For the State	:	Mr. Raj Kishor Singh, APP
For the Informant	:	Mr. Sunil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 24-07-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Dinara P.S. Case No. 433 of 2024 instituted for the offence under Sections 115(2), 126(2), 109, 3(5) & 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The informant was assaulted on 09.10.2024 near the house of petitioner No.2 by many individuals, using *lathis* and rods, resulting in serious injuries to him and his family members. During the scuffle, Rs.500/- was snatched and his daughter was dragged by her hair, causing her clothes to tear.



4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 31-01-2025. Petitioner No.3 bears no criminal antecedent, whereas petitioner Nos. 1 & 2 bear one criminal antecedent each, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case that arose from a spontaneous altercation over an attempted illegal installation of an electric wire by the informant's family. The FIR was lodged with undue delay of seven days, raising doubts about its credibility. The incident was a mutual scuffle in which both sides sustained injuries, and petitioners acted only in private defense. Learned counsel for the petitioners submits that allegations are exaggerated. There is case and counter case between the parties.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners by contending that injured sustained grievous injury. It is lastly submitted that charge sheet is submitted in this case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being case and counter case between the parties and charge sheet being



submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dinara P.S. Case No. 433 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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