

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23449 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- SARMERA District- Nalanda

Rajesh Chaudhary S/O Singheswar Chaudhary @ Siddheswar Chaudhary R/O
Vill.- Jahangirpur, P.S.- Sarmera, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suryakant Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Sarmera P.S. Case No. 05 of 2025, registered for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 351, 352/3(5) of the B.N.S.

3. As per the prosecution case, the petitioner and other co-accused persons assaulted the informant in a dispute over drainage of dirty water in the alley. The petitioner gave a *Hasuli* blow on the head of the informant causing its fracture and other co-accused persons assaulted the family members of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. There is case and counter version of the petitioner side as a number of persons including this petitioner received a number of injuries. Learned counsel further submits that the injury report of the informant shows two lacerated wounds on the head and the injuries are found to be simple in nature caused by hard and blunt object. This falsifies the allegation of causing injury by *Hasuli* which is a sharp cutting weapon. The petitioner is in custody since 09.02.2025 and he has four criminal antecedents which have been lodged by the wife of the petitioner and in all the cases the petitioner is on bail. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the case and counter case of the parties and further considering the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Bihar Sharif, Nalanda/concerned court, in connection with Sarmera P.S. Case No. 05 of 2025, subject to the condition laid down



under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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