

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23974 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- AZIMABAD District- Bhojpur

Ram Niwas Chaudhary, S/o Late Tilchan Chaudhary, Resident of village-
Mehandaura, P.S.- Azimabad, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Azimabad P.S. Case No. 87 of 2024 registered for the offences under Sections 126(2), 115(2), 117(2), 118(2), 3(5) of the B.N.S.

3. The allegation against the petitioner is of causing *Fasuli* blow over the head of the informant, leading to injuries. There is further allegation against the wife and daughter-in-law of the petitioner of assaulting the informant and given a teeth bite.

4. Learned Advocate for the petitioner referring to the F.I.R. has contended that the alleged occurrence took place on 13.10.2024, but surprisingly the F.I.R. came to be filed on 22.10.2024, without there being any explanation of delay. The



prosecution case falls to the ground for the simple reason that neither there is injury report nor it has been disclosed in the impugned order and, prima facie, it appears that the informant has sustained either no injury or the injury is simple in nature. It is further contended that in fact on the premise of land dispute both the parties have entered into a scuffle and in order to mount pressure, the present F.I.R. has been instituted. The petitioner undertakes before this Court that he will fully co-operate in the investigation and in the proceeding of the Court.

5. On the other hand, learned APP for the State opposes the bail application and submits that apart from active participation of the petitioner in crime, he also bears two criminal antecedent, as has been disclosed in para.3 of the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the F.I.R., coupled with the fact that there is no injury, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Azimabad P.S. Case No. 87 of 2024, subject to the condition as laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Harish Kumar, J)

uday/-

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

