

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25825 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- AWTARNAGAR District- Saran

Vikash Chaudhary S/o- Ramesh Chaudhary Resident of Village- Mirjapur PS-
Awatarnagar, Dist- Saran at Chapra. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Awatarnagar P.S. Case No. 274 of 2014/G.R. No. 9722/24

registered for the offence under Sections 126(2), 115(2), 118(2),

109, 76, 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 05.02.2025.

4. The allegation against the petitioner is to assault the

informant and his family members, alongwith 8 named and 3-4

unknown co-accused persons by using weapons like rod, sword

pistol etc.

5. Learned Counsel appearing on behalf of the petitioner

submitted that in fact occurrence was free fight in nature, where

both parties received injuries and for the same set of occurrence



petitioner's side also lodged a case against the informant and others which has been registered as Awatarnagar P.S. Case No. 263 of 2024, prior to lodging this FIR. It is submitted that delay of 12 days to lodge the present FIR is not appears explained. It is submitted that as per FIR, allegation against petitioner is to assault informant by using sword, causing cut injury on his finger but no such injury was found upon medical examination, creating a doubt *qua* occurrence. It is submitted that upon medical examination, injuries found upon injured are simple in nature, negating intention to cause death on its face. While concluding the argument, it is submitted that the investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid facts and circumstances and by taking note of fact as *prima facie* injury report not appears corroborate, where occurrence *prima facie* appears free fight in nature, coupled with the fact that charge sheet has already submitted, where petitioner remains in custody since 05.02.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Awatarnagar P.S. Case No. 274 of 2014, on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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