

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31135 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Santosh Chaudhary S/o Late Sitaram Chaudhary @ Late Sitaram Chaudhari
R/o Mohalla- Ramraj Nagar, Karma Road, P.S.- Town (Aurangabad),
District- Aurangabad, Bihar
 2. Surendra Chaudhary S/o Late Sitaram Chaudhary @ Late Sitaram Chaudhari
R/o Mohalla- Ramraj Nagar, Karma Road, P.S.- Town (Aurangabad),
District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kr. Singh, Adv. Ms. Alka Singh, Adv. Ms. Kumari Chandna, Adv.
For the State	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Shakib Ayaz, Adv. Mr. Uma Kanth Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-08-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Aurangabad (Town) P.S. Case No. 129 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 351(2), 3(5) of the BNS, 2023.

3. Allegedly on the fateful day while the informant was standing near his garden, in the meantime, the petitioner no. 1 came there and started abusing the informant and tried to strangle his neck by means of one hand. It is specifically alleged that the petitioner no. 1 was also holding sharp iron



object by which he hit on his left eye due to which blood started oozing. While the informant tried to escape from the place of occurrence, in the meanwhile, the petitioner no. 2 came there and caught hold the informant's hand and thereupon both of them assaulted the informant by fists and slaps over his stomach, chest and rib cage.

4. Learned Advocate for the petitioners submitted that there is counter version of the present occurrence being SC/ST P.S. Case No. 6 of 2025 instituted against the informant and others; besides the aforesaid fact during the course of investigation it has come that on account of some trifle, a free fight has taken place. He further submits that the entire allegation of causing assault by means of sharp cut weapon falls to the ground from bare perusal of the injury report which suggests lacerated wound but simple in nature caused by hard and blunt object. Furthermore, the petitioner no. 1 bears one criminal antecedent, whereas petitioner no. 2 is facing two criminal antecedent over his head. However, in both the cases petitioners are on bail. The petitioners undertake before this Court that they would maintain piece and not indulge in such activity in future.

5. On the other hand, learned Advocate for the State



and the informant vehemently opposed the bail application and submitted that apart from the fact the petitioners are habitual offenders indulged in such activity, the injury report corroborates the allegation that the informant was subjected to assault at the hands of the petitioners.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of injury, coupled with the undertaking before this Court, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 129 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions:

(i) that one of the bailors shall be the own/close family members of the petitioners,

(ii) that the petitioners would not indulge in intimidating the witnesses/informant or tampering with the



evidence, and

(iii) that in case, the petitioners shall be found indulge in intimidating the informant/witnesses or tampering with the evidence, the informant shall be at liberty to file an application for cancellation of the bail of the petitioners.

(Harish Kumar, J)

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