

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36201 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

1. Govind Chaudhary @ Govind Kumar S/o Mochhu Chaudhary Village- Banarpur, P.S.- Buxar Muffasil, District- Buxar
2. Mochhu Chaudhary S/o Late Ramadhar Chaudhary Village- Banarpur, P.S.- Buxar Muffasil, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have earlier moved before this Court with a prayer for anticipatory bail which was dismissed by a Co-ordinate Bench of this Court vide order dated 24.01.2025 passed in Cr. Misc. No. 68167 of 2024.

3. The petitioners seek bail in connection with Buxar Muffasil P.S. Case No. 161 of 2024 instituted for the offences under Sections 147, 149, 341, 323, 325, 307, 504, 506 of the Indian Penal Code.

4. As per prosecution case, all the accused persons including the petitioners assaulted the Informant and his family



members causing injury on vital parts and other different parts of the body.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. There is a case and counter case between the parties for the same incident. The petitioner no.1 has filed Buxar Muffasil P.S. Case No. 162 of 2024 against the informant and others. Both the parties are co-villagers and closed door neighbors. Learned counsel for the petitioners further submits that so far as the injuries sustained by the informant is concerned, the same has been caused by iron rod upon his head by the co-accused Golu Chaudhary and Govind Choudhary but, only one injury has been found upon the head of the informant. He further submits that so far as the injury of Kanhaiya Chaudhary is concerned, the allegation is against the petitioner no.2 that he assaulted him by iron rod upon the back side of the head but, the doctor has found the injury to be simple in nature which is supported by the injury report. Learned counsel for the petitioner further submits that the co-accused persons have already been granted privilege of anticipatory bail vide order dated 28.08.2024 passed by a Co-ordinate Bench of this Court



in Cr. Misc. No. 54227 of 2024. The petitioners have no criminal antecedent and are languishing in judicial custody since 08.04.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. The petitioners are named in the F.I.R. and, hence, they do not deserve bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, 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 Buxar Muffasil P.S. Case No. 161 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioners.

(ii) The petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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