

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39808 of 2025

Arising Out of PS. Case No.-190 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

Alwendra Chauhan @ Amrendra Kumar @ Amrendra Chauhan son of
Upendra Chauhan @ Raghu Chauhan Village - Ganpat Nagar, P.s.- Neemchak
Bathani, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the State : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Neemchak Bathani P.S. Case No. 190 of
2023, dated 24.10.2023, registered for the offences punishable
under Sections 341, 323, 307, 379, 147 and 149 of the Indian
Penal Code.

3. As per allegation, the petitioner and other co-
accused have assaulted the informant in the dark night by rod
and khanti on his head.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner has been implicated



in this case only on account of previous land dispute. He also submits that there is no specific allegation against the petitioner and even as per the F.I.R., the occurrence has taken place in the dark night when it is difficult for anybody to be identified. He also submits that alleged injury is simple in nature. As such, the offence under Section 307 of the Indian Penal Code is not made out against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has three criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Neemchak



Bathani P.S. Case No. 190 of 2023, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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