

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39945 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

1. Anil Chaudhary S/o Late Ram Ratan Chaudhary Resident of Village- Singher, PS- Neemchak Bathani, District- Gaya
2. Prabha Devi W/o Anil Chaudhary Resident of Village- Singher, PS- Neemchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Neemchak Bathani P.S. Case No. 1 of 2025 instituted for the offences under Sections 126(2), 115(2), 109, 125(a), 125(b), 303(2), 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that, informant's wife was assaulted with bricks by petitioner no. 2, causing head injury and loss of consciousness, after which her wedding necklace was snatched. When the informant tried to intervene, petitioner no. 1 threw a brick from the roof, injuring his nose.



4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel further submitted that there is a delay of two days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that, as a matter of fact, informant and his family members have brutally assaulted the petitioners and took away their cash and ornaments for which Nimchak Bathani P.S. Case No. 03 of 2025 was registered. It has been submitted on behalf of the petitioners that the petitioners are in custody since 23.03.2025. Petitioner no.1 has one criminal antecedent whereas petitioner no.2 has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that there is direct allegation against the petitioners that both of them assaulted the informant and his wife by means of brick which is corroborated by the injury report. Learned APP further referring to impugned order submitted that injuries sustained by the injured persons are grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, there being direct allegation corroborated by the



injury report as also the nature of injuries sustained by the injured persons, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, the prayer for grant of bail to the petitioners is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioners to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of three months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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