

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40741 of 2025

Arising Out of PS. Case No.-555 Year-2022 Thana- CHANDAUTI District- Gaya

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Dinanath Chaudhary @ Karan Chaudhary @ Karu Chaudhary Son of Doman Chaudhary Resident of Village - Kewali, Churi, P.S. - Chandauti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-07-2025 Heard Ms. Rabia Gulnaz, learned counsel for the petitioner and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chandauti P.S. Case No. 555 of 2022, F.I.R. dated 10.12.2022 for the offences punishable under Sections 341, 504, 506, 323, 308 and 34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused persons armed with lathi, danda and iron rod have assaulted the informant, his brother and son due to which they sustained injury.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. Although the petitioner is named in the F.I.R but it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against this petitioner rather the specific allegation is against the co-accused, namely, Raj Kumar Chaudhary who happens to be uncle of the petitioner.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation of assault against this petitioner rather the same is against Raj Kumar Chaudhary who is uncle of the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Gaya in connection with Chandauti P.S. Case No. 555 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-



i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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