

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49900 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- PURNAHYA District- Sheohar

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1. Pradeep Chaudhari @ Pradeep Kumar Jaysawal S/o Late Vinod Chaudhari R/o Vill.- Ashogo Dhani Chhapra, P.S.- Purnahiya, District- Sheohar
 2. Dheeraj Kumar S/o Vishwanath Chaudhari R/o Vill.- Ashogo Dhani Chhapra, P.S.- Purnahiya, District- Sheohar
 3. Rajan Kumar S/o Vishwanath Chaudhari R/o Vill.- Ashogo Dhani Chhapra, P.S.- Purnahiya, District- Sheohar
 4. Sudeep Chaudhari @ Sudeep Kumar S/o Late Vinod Chaudhari R/o Vill.- Ashogo Dhani Chhapra, P.S.- Purnahiya, District- Sheohar
 5. Vishwanath Chaudhari S/O-Late Ramchandra Chaudhari R/o Vill.- Ashogo Dhani Chhapra, P.S.- Purnahiya, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Purnahiya P.S. Case No. 74 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita-2023.

3. Based upon the written report, the prosecution alleges that while the case bearing No. 27 of 2024 was pending



before the competent Civil Court, in the meanwhile, all the FIR named accused persons armed with *lathi*, *danda* and other weapons came there and started cultivating the land in dispute. When the same was protested, all the accused persons 11 in number, including the petitioners started assaulting him. It is further alleged that co-accused Govinda Chaudhari assaulted Siya Lal Chaudhari by means of knife, due to which he sustained a cut injury over his upper lip.

4. Learned Advocate for the petitioners referring to the FIR contended that admittedly there is a land dispute between both the parties and on account of such dispute, the parties have entered into a scuffle, resulting into injuries to persons of both the sides; as also leading to institution of counter case bearing Purnahiya P.S. Case No. 75 of 2025. It is further contended that the parties are close agnates and in order to resolve the dispute, the case is pending before the Civil Court; moreover, there is no specific allegation against any of the petitioners and they bear fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime.

6. Regard being had to the submissions made on



behalf of the parties and considering the general and omnibus nature of allegation, coupled with the factum of pending land dispute, leading to case and counter case, as also the fair antecedent and the simple nature of injury, let the petitioners above named 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 S.D.J.M., Sheohar in connection with Purnahiya P.S. Case No. 74 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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