

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54418 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- DAWATH District- Rohtas

Upendra Chaudhary S/o Shri Harikisun Chaudhary, R/o Vill.-Semari, P.S.-
Dawath, Dist.- Rohtas (Sasaram).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate
		Mr. Alexander Ashok, Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-11-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Dawath P.S. Case No. 414 of 2024 dated 30.12.2024, registered for the offences punishable under Sections 126(2), 115(a), 109, 74, 76, 303(2), 351(2) and 352 read with Section 3(5) of the BNS.

3. As per the prosecution case, petitioner came to the house of the informant and started abusing him due to old enmity. When the informant objected, he was assaulted with *lathi*. Other co-accused persons also joined and they assaulted the wife of the informant with bricks causing injuries to her. The assailants took away the locket of the wife of the informant and cash of Rs. 14,000/- from the pocket of the informant.



4. Learned senior counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case and made accused due to old enmity which is admitted in the FIR itself. The present case is the counter blast of Dawath P.S. Case No. 407 of 2024, which was lodged prior to the registration of the present case. In the FIR, it is apparent that for the occurrence of same date this case has been lodged after a delay of three days without any satisfactory explanation. The case lodged by the petitioner has been found to be true after investigation. Co-accused Savindra Choudhary has been granted the privilege of anticipatory bail by a learned co-ordinate Bench of this Court *vide* order dated 30.07.2025 passed in Cr. Misc. No. 44241 of 2025. Learned senior counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned senior counsel lastly submits that petitioner is in custody since 17.05.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the earlier counter version of the petitioner and further considering



his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas / concerned Court, in connection with **Dawath P.S. Case No. 414 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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