

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58322 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- SALAIYA District- Aurangabad

1. Ishwari Chaudhary @ Ishwari Choudhary son of Late Vanshi Chaudhary village- Peer Bigha, Ps- Salaiya, Dist- Aurangabad
2. Shiv Chaudhary son of Vanshi Yadav village- Peer Bigha, Ps- Salaiya, Dist- Aurangabad
3. Sunil Chaudhary Son of Shiv chaudhary village- Peer Bigha, Ps- Salaiya, Dist- Aurangabad
4. Vikash Kumar @ Vikash Chaudhary son of Nandu Chaudhary village- Peer Bigha, Ps- Salaiya, Dist- Aurangabad
5. Sahendra Yadav son of Hari Yadav village- Peer Bigha, Ps- Salaiya, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shailesh Kumar Singh
For the State	:	Mr. Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Shyam Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioners, learned APP, Mr. Chandra Bhushan Prasad for the State as well as Mr. Shyam Kishore, learned counsel appearing on behalf of the informant.

2. Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 303(2), 74 and 3(5) of the B.N.S.

3. Learned counsel appearing on behalf of the petitioners submits that petitioners no.1, 2 and 3 have



antecedent of one case and petitioners no.4 and 5 are persons with clean antecedent and the informant alleges that on 27.04.2025 at about 08:00 a.m. centering work was going on in the house of the informant, as such, the household articles were being taken on a tractor which was objected by Ishwari Chaudhary, thereafter all the accused persons including the petitioners after forming an unlawful assembly assaulted the informant and his side by Hasuli, Danda and iron rod causing injuries to Laxman Chaudhary, Arjun Yadav, Rinki Kumari, Sarju Yadav and Sajid Kumar and the accused also snatched a chain made of gold from Raju Kumar and even assaulted the family members of the informant.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the instant case by the informant. It is next submitted that the occurrence is alleged to have taken place on account of land dispute. It is also submitted that from the side of the petitioners, Salaiya P.S. Case No.48 of 2025 has been instituted agaisnt the side of the informant and others. It is next submitted that the side of the informant received simple injury while the informant side assaulted the petitioners causing grievous injury to the injured which amply demonstrates that the force used by the side of the informant in assaulting the side of the petitioners was much



more.

5. Learned A.P.P. for the State as well as learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but then learned counsel for the informant is not in a position to rebut the submissions of learned counsel appearing on behalf of the petitioners that informant side receive simple injury while side of the petitioners received grievous injury.

6. Considering the submissions made by learned counsel for the petitioners, let petitioners, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of **Rs.10,000/- (Rupees Ten Thousand)** each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Salaiya P.S. Case No.49 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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