

Arising Out of PS. Case No.-73 Year-2024 Thana- ASHTHAWAN District- Nalanda

- ... .. Petitioner/s

Versus

## The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

## ORAL ORDER

2      12-09-2025                      1. Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 452, 323, 324, 325, 341 506, 307 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of six cases and is a woman and five cases are under the excise act. It is next submitted that once



an accused is implicated in a case relating to excise, the police starts implicating mechanically and petitioner no. 2 has antecedent of one case.

4. It is next submitted that the informant alleges that accused persons came, thereafter Vikash and petitioners assaulted him by *lathi*, *danda* and rod causing injury on head, further Mohan Chaudhary and petitioners also reached the place of occurrence and assaulted his wife by *Hansua* and rod causing injury on head and nose and also assaulted his father by rod and brick, further Pappu who is son of brother-in-law of brother of Mohan Chaudhary also assaulted by rod and brick.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that even injury suffered by the injured is simple in nature, which amply demonstrates that petitioners never had any intention of committing a serious occurrence. It is next submitted that on account of dispute relating to property, an altercation had taken place in which both sides assaulted each other. It is also submitted that in support of the submission that the injury suffered by the injured is simple in nature, the injury reports are annexed as Annexure-2 series to the anticipatory bail application and the doctor has opined the



injury to be caused by hard and blunt substance. It is next submitted that the informant and Mohan Chaudhary are own brother and petitioner no. 1 is wife of Mohan Chaudhary, as such, she also came to be implicated in order to coerce Mohan into submission. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the 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 Asthawan P.S. Case No. 73 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite



giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. **Accordingly, the instant anticipatory bail application stands allowed.**

**(Satyavrat Verma, J)**

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