

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58170 of 2025

Arising Out of PS. Case No.-391 Year-2024 Thana- BAIRIYA District- West Champaran

1. Durgen Chaudhary @ Durgesh @ Durgesh Chaudhary @ Vijay Chaudhary Son Of Late Suraj Chaudhary Resident Of Village- Tumkadiya Chauwk Ward No 4, Police Station- Bairiya, District-West Champaran
2. Pintu Chaudhary Son Of Late Suraj Chaudhary Resident Of Village- Tumkadiya Chauwk Ward No 4, Police Station- Bairiya, District-West Champaran
3. Rekha Devi Wife Of Durgen Chaudhary Resident Of Village- Tumkadiya Chauwk Ward No 4, Police Station- Bairiya, District-West Champaran
4. Ramrati Devi Wife Of Naresh Chaudhary Resident Of Village- Tumkadiya Chauwk Ward No 4, Police Station- Bairiya, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 329(3), 126(2), 115(2), 109, 74, 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, on 02.11.2024 at about 10 AM, all the F.I.R. named accused persons, including these petitioners, assaulted informant with iron rod, disrobed her and snatched gold *Mangalsutra* from her neck.

4. Learned counsel for the petitioners submits that both parties are agnates and due to land dispute, altercation took



place between them in which both sides sustained injuries. Case and counter case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against these petitioners. Injuries, allegedly, caused by these petitioners are simple in nature. Rest of the allegations are ornamental only to make the case grave. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and simple injury, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Bettiah, West Champaran in connection with Bairiya P. S. Case No. 391 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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