

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60699 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- NAVINAGAR District- Aurangabad

Sushil Chouhan @ Soshil Chouhan S/o Late Jagnarayan Singh Chouhan @
Jagnarayan Chouhan R/o Village - Gamharia, P.S - Nabinagar, District -
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Aman Vishal, learned counsel for the

petitioner and Dr. Mrityunjaya Kr. Gautam, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Nabinagar P.S. Case No. 136 of 2025, F.I.R.
dated 28.04.2025 for the offences punishable under Sections
109(1), 115(2), 126(2), 352, 351(2), 3(5) of the Bhartiya Nyay
Sanhita, 2023.

3. As per the First Information Report, the informant
alleged that due to some petty dispute, the petitioner along with
other co-accused persons came to her house and started abusing
and assaulted her by means of *lathi* due to which she sustained
injury on her head.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the informant received injury but her injury report suggest that injury inflicted upon her is simple in nature and similarly situated co-accused persons, namely, Rinki Devi and Uday Chauhan have been granted the privilege of anticipatory bail by the learned Court below itself.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and injury inflicted upon the injured person is simple in nature and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the learned Court below itself, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Aurangabad(Bihar) in connection with Nabinagar P.S. Case No. 136 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section



482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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