

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57911 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- HALSI District- Lakhisarai

1. Ranjan Chaudhari S/o Ghotu Chaudhari @ Ghuthar Chaudhary @ Ghuto Chaudhari R/o vill - Silwe, P.S. - Halsi, Distt.- Lakhisarai
2. Vinod Chaudhari @ Vinod Kumar S/o Ranjan Chaudhari R/o vill - Silwe, P.S. - Halsi, Distt.- Lakhisarai
3. Nitish Kumar S/o Ranjan Chaudhari R/o vill - Silwe, P.S. - Halsi, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-11-2025 Heard Mr. Ashok Kumar Mishra, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Halsi P.S. Case No. 92 of 2025 instituted under Sections 126(2), 115(2),109(1)351(2),352,3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 25.04.2025 by the informant, Pankaj Yadav.

3. As per the prosecution story, the informant alleged that Ranjan Choudhary alongwith his two sons were trying to take away the crops and upon protest, assaulted by sickle causing injury to both the sons of the informant who were



shifted to Sadar Hospital, Lakhisarai and had to go through 16/10 stitches each. This led to the FIR.

4. Learned counsel for the petitioners submit that contrary to the statement made in the FIR, the stitches theory is/are not incorporated in the injury report. Earlier, the opinion was reserved for C.T. Scan report (para-46 of the case diary) and later, para-68 shows that no C.T. Scan report was ever provided to the Police. Further submission is that both the petitioners do not have criminal antecedent and there is case and counter case. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to pay Rs.3000/- each (totalling Rs.9000/-) through Demand Draft issued by the local branch State Bank of India/any Nationalized Bank branch to be submitted before the concerned Court to be handed over to the informant/injured after checking the credential.

5. Learned APP opposes the prayer stating that allegation of assault by sickle is there against the accused persons.

6. Considering the submissions of the parties as also the fact that earlier the opinion of the injury report was reserved and the injured never submitted C.T. Scan report, these



petitioners do not have criminal antecedent, there is case and counter, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.3000/- each (totalling Rs.9000/-) through Demand Draft issued by the local branch State Bank of India/any Nationalized Bank branch to be submitted before the concerned Court to be handed over to the informant/injured after checking the credential.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Halsi P.S. Case No. 92 of 2025 to the satisfaction of learned Judicial Magistrate-1st Class, Lakhisarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their



bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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