

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60748 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- MEHSI District- East Champaran

Jaglal Choudhary @ Jailal Chaudhari @ Jaglal Sahani Chaudhary S/o Ishwari
Dyal Chaudhary Resident of village- Harpur Nag, P.S.- Mehshi, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner as well as Mr. Ashok Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mehshi P.S. Case No. 174 of 2024, F.I.R. dated
20.10.2024 for the offences punishable under Sections 126(2),
115(2), 117(2), 109, 303(2), 352, 351(2), 3(5) of the BNS, 2023.

3. According to prosecution case, all the FIR named
accused persons including the petitioner came to the informant and
started abusing him. It is further alleged that they assaulted the
informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been implicated
in the present case. He further submits that both the parties are



agnates to each other and due to some land dispute, the present occurrence has taken place. He further submits that although, there is specific allegation against the petitioner that he has assaulted the informant and informant has received injury but injury report of the informant suggests that injury is found to be simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor for the State 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 informant is found to be simple in nature, let the petitioner, above named, in the event of his 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 C.J.M., Motihari, East Champaran in connection with Mehsi P.S. Case No. 174 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 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 bonds 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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