

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65729 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- GOVINDPUR District- Nawada

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1. Umar Chauhan @ Uma Jamadar S/o- Late Pauchu Chauhan Village-Sheikhpur Ps- Govindpur Dist- Nawada
 2. Rajaram Chauhan @ Shajaram Chauhan S/o- Umar Chauhan Village-Sheikhpur Ps- Govindpur Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-09-2025 Learned counsel for the petitioner at the outset prays for withdrawal of the anticipatory bail application of petitioner no. 1 namely, Umar Chauhan @ Uma Jamadar, the same is dismissed as withdrawn.

2. Heard Mr. Tribhuwan Narayan, learned counsel for the petitioners, learned APP for the State as also the learned counsel for the informant.

3. The petitioners apprehend their arrest in connection with Govindpur P.S. Case No. 127 of 2025 for the offence registered under sections 126(2), 115(2), 118(1), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita lodged on 23.04.2025 by the informant, Amarjeet Kumar.

4. As per the prosecution story, the informant alleged



that the accused persons including two petitioners on the simple reason of plucking of the mangoes abused/assaulted. Allegation against petitioner no. 2, Rajaram Chauhan has assaulted the informant on the head causing injury while petitioner no. 1, Umar Chauhan gave big blow to Pawan Kumar causing injury, this led to the FIR.

5. Learned counsel for the petitioner submits that there is case and counter case, their case is earlier to the prosecution story, they have no criminal antecedent, though concede the injury inflicted by petitioner no. 1 having found to be grievous in nature against Pawan Kumar. So far as, the injury to Amarjeet Kumar (informant) is concerned, the same has been found to be simple in nature.

6. Learned APP as also learned counsel for the informant opposes the prayer submitting that upon simple issue of plucking of the mangoes, they resorted to assault.

7. Considering the submissions of the parties as also the fact that allegation of causing grievous injury is on petitioner no. 1, Umar Chauhan whose anticipatory bail application already stands withdrawn, the injury sustained by Amarjeet Kumar (informant) has been found to be simple in nature and petitioner no. 2 has no criminal antecedent, in that background,



this Court is inclined to grant him the anticipatory bail of the petitioner no. 2 with conditions.

8. Let the petitioner no. 2 in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Nawada in connection with Govindpur P.S. Case No. 127 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner no. 2 , who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 2 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 his bail bond by the Trial court itself;

(iii) the petitioner no. 2 shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner no. 2 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 petitioner no. 2 shall desist from committing
any criminal offence again failing which the State shall be at
liberty to take steps for cancellation of the bail bonds

(Rajiv Roy, J)

Raj Ranjan/-

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