

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66478 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- HAYAGHAT District- Darbhanga

1. Jay Prakash Chaudhary @ Jay Prakash Chau S/O Late Madan Chaudhary @ Madan Chau R/o - Dhobopur Bansara, Ward No.18, P.S. - Hayaghat, District - Darbhanga (Bihar)
2. Om Prakash Chaudhary @ Om Prakash Chau S/O Late Madan Chaudhary @ Madan Chau R/o - Dhobopur Bansara, Ward No.18, P.S. - Hayaghat, District - Darbhanga (Bihar)
3. Amrit Bhaskar @ Amiritesh Bhaskar @ Amritesh Bhaskar S/O Jay Prakash Chaudhary @ Jay Prakash Chau R/o - Dhobopur Bansara, Ward No.18, P.S. - Hayaghat, District - Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-09-2025 Heard Mr. Vinay Kumar Mishra, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Hayaghat P.S. Case No. 69 of 2025 instituted under Sections 126(2), 115(2), 109, 303(2), 324(4) and 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 24.03.2025 by the informant, Rajni Devi.

3. As per the prosecution story, the informant alleged that the named accused persons including this petitioner assaulted the informant, lady while she was going to take



medicine from the medical hall. This led to the FIR.

4. Learned counsel for the petitioners submit that the observation of the learned Sessions judge do not show that any grievous injury has been found but only because there was abrasion on the forehead, it has been recorded that it was inflicted on vital part. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs.5000/- each (totalling Rs.15,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the concerned Court to be handed over to the informant/injured after checking her/his credential.

5. Learned APP opposes the prayer stating that a lady on move to medical hall has been assaulted.

6. Considering the submissions of the parties, it is unfortunate that number of accused persons assaulted a helpless woman who was going to the medical shop to purchase the medicine, there is case and counter case, injury has been alleged, it is not recorded that the injury is grievous in nature, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.5000/- each (totalling Rs.15,000/-) through Demand Draft issued by the



local State Bank of India branch to be submitted before the concerned Court to be handed over to the informant/injured after checking her/his credential.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the concerned 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 Hayaghat P.S. Case No. 69 of 2025 to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Darbhanga 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 co-operate in the investigation and make themselves available to the police as and when required;



(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) 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;

(vi) 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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