

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65597 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- HALAI District- Samastipur

Nirmal Kumar Choudhary @ Nirmal Kumar S/o- Late Manish Kumar
Choudhary Resident of village- Jorpura ward No 04 Ps- Halai District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shanti Bhushan Singh, Advocate
For the State	:	Mr. Bharat Lal, APP
For the Opposite Party/s	:	Mr. Mritunjay Kumar, Advocate
		Mr. Suraj Prakash, Advocate
		Mr. Gaurav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 17-12-2025 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Halai P.S. Case No.70 of 2025, F.I.R dated 05.05.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 74, 109(1), 352, 351(2) (3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, based on the statement of Girish Kumar Choudhary, that on 28.04.2025 at about 6:00 a.m., a dispute arose after the informant noticed a



missing chair. It is alleged that thereafter the accused persons, including the petitioner and two unknown persons, came to the informant's house armed with lathi, danda, and iron rods, forcibly entered the house, dragged the informant into the courtyard, abused him, and the petitioner allegedly assaulted him on the head with an iron rod causing injury. It is further alleged that when the informant's wife intervened, she was assaulted by Soni Kumari and Anju Devi, and that Kavita Devi and Vijay Kumar Choudhary, who came to rescue, were also allegedly assaulted, resulting in injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. It is next submitted that both the petitioner and informant are relatives and the present case is admittedly related with land dispute. It has next been submitted that there is case and counter case and also a fight occurred between them due to a petty dispute, in which both the sides got injured and the only allegation against this petitioner is of having assaulted the informant on his head, and on the basis of C.T. scan, the injury is said to have been found to be grievous in nature.

5. Learned APP for the State opposes the prayer for anticipatory bail application and submits that the petitioner



assaulted the informant on his head and the injury sustained by the informant, Girish Kumar Choudhary, is grievous in nature, as per the injury report called from the learned Trial Court.

6. Considering the aforesaid facts and circumstances that the injury sustained by the informant is on the head and the same is grievous in nature, as per the injury report dated 29.07.2025, which was called by this Court vide order dated 11.11.2025, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

7. Accordingly, the anticipatory bail application of the petitioner is hereby rejected / dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of two weeks from today and seek regular bail and the learned Trial Court would consider the case and pass appropriate order, if possible, preferably, on the same day, in accordance with law.

(Ajit Kumar, J)

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