

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 74244 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

Naresh Chauhan @ Bachu Chauhan S/O Pacchu Chauhan R/O Village- Khiri,
P.S.- Paraiya, District -Gaya. As per FIR, Village- Ganpatnagar, P.S.-
Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR JUSTICE HARISH KUMAR

ORAL ORDER

2 24-11-2025 Heard Mr Durgesh Nandan, learned Advocate for the
petitioner and Mr Anand Kishore Choudhary, learned Advocate
for the State.

2 The petitioner is apprehending his arrest in
connection with Neemchak Bathani PS Case No 68 of 2025
dated 16.03.2025 registered for the offence punishable under
Sections 126 (2), 115 (2), 109 (2), 303 (2), 352, 351 (2), 351 (3)
and 3 (5) of Bharatiya Nyaya Sanhita, 2023.

3 Allegedly when the informant's husband went to
attend the call of nature, in the meanwhile, seven named
accused persons, including the petitioner, surrounded him and
started abusing and assaulting. It is specifically alleged that co-
accused Raja Ram Chauhan caught hold the husband of the



informant whereas co-accused Gandhi Chauhan cut his tongue besides the allegation of snatching of Rs 10,000/- and other valuables.

4 Learned Advocate for the petitioner submits that even as per the narrations made in the FIR, no specific allegation of any overt act is attributed against the petitioner. So far as the specific accusation is concerned, the same has been levelled against Raja Ram Chauhan and Gandhi Chauhan who are not before this Court. In fact, the petitioner, being close family member of Raja Ram Chauhan, his name has been implicated in this case only in order to wreck vengeance and putting pressure. Because of the long standing dispute between the parties, identical FIRs have been instituted from both the sides. It is submitted that the petitioner bears five criminal antecedents.

5 On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioner bears five criminal antecedents besides specific accusation in the crime.

6 Regard being had to the submission advanced on behalf of the respective parties and taking note of the omnibus nature of allegation against the petitioner coupled with the



genesis of occurrence, moreover mere criminal antecedent of a person cannot be the sole ground to deny the bail, unless there is other cogent material, let the petitioner, in the event of his arrest/surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in Neemchak Bathani PS Case No 68 of 2025 dated 16.03.2025 subject to all conditions as laid down in Section 482 of the BNSS 2023.

(Harish Kumar, J)

M.E.H./-

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