

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66890 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- NARDIGANJ District- Nawada

Upendra Chaudhary Son of Late Kailu Chaudhary R/o Village - Nenaure, P.S.
- Nardiganj, Dist. - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 126(2), 115(2), 118(1), 109, 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita.

3. The prosecution case, in short, is that on 03.05.2025 at about 7:00 PM, a dispute arose between the parties regarding a passage. In the course of the altercation, the petitioner along with other co-accused persons allegedly started abusing the informant. When the informant objected, the petitioner is said to have assaulted Santosh Chaudhary and Om Prakash Chaudhary, causing injuries on their heads. It is further alleged that when the mother-in-law of the informant tried to



intervene, she was also assaulted by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to ulterior motives. It is contended that no specific allegation has been attributed towards the petitioner. It is further submitted that the present case has been lodged by the informant as a counterblast to Nadriganj P.S. Case No. 172 of 2025, which was instituted by the wife of the petitioner for the offences under Sections 191(1), 191(3), 126(2), 115(2), 118(1), 109, 74, 303(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, in which the petitioner is said to have sustained serious injuries. It is next submitted that the wife of the petitioner, namely Gayatri Devi, along with her son, was bringing firewood to their house when Santosh Chaudhary, Saurav Kumar, Omkar Chaudhary, Ram Prakash Chaudhary, and Gayatri Devi arrived at the spot and started abusing them. Upon being opposed, they allegedly assaulted the petitioner, his wife, and his son. It is further stated that the petitioner suffered serious injuries in the incident and was initially taken to the Primary Health Center, Nardiganj, from where he was referred to Sadar Hospital, Nawada, and subsequently to Bhagwan Mahaveer Institute of Medical Science Hospital, Pawapuri, for further treatment.



Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Taking into account that the petitioner has also received injuries in the alleged incident and no specific allegations attributed against him, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada/Successor Court in connection with Nardiganj P.S. Case No.173 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;



(iii) the petitioner(s) 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;

(iv) the petitioner(s) 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.

(Ajit Kumar, J)

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