

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70422 of 2025

Arising Out of PS. Case No.-325 Year-2025 Thana- ALOULI District- Khagaria

1. Bechan Choudhary S/o- Rambilash Choudhary Resident of Chira Khera PS- Alauli District- Khagaria
2. Umesh Choudhary S/o- Prasadi Choudhary Resident of Chira Khera PS- Alauli District- Khagaria
3. Deepo Choudhary S/o- Ram Prasadi Choudhary Resident of Chira Khera PS- Alauli District- Khagaria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seeks bail in connection with Alauli P.S. Case No. 325 of 2025, registered for the offences under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioners and other co-accused persons entered into the house of the informant by breaking its doors and assaulted the informant, her brother-in-law and nephew causing a number of injuries to them.

4. Learned counsel appearing on behalf of the



petitioners submit that petitioners are innocent and have been falsely implicated in this case. The petitioners and informants side are neighbors and a land dispute is pending between both the sides. There is no specific allegation of assault by the petitioners. Though, there is allegation of firing against the petitioners but the said allegation is not believable for the fact that no spent cartridges were seized from the place of occurrence. It is also not believable that if the petitioners were carrying pistols, they would not use the same against their victims. It shows there was no intention to cause death of any person. The injury report of the victims show only simple injuries. There is a counter version and one Nirmala Devi has registered Alauli P.S. Case No. 341 of 2025 against the victims of the present case and other co-accused persons for the occurrence the same date. The petitioners are having antecedent of two cases and are in custody since 20.07.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioners, simple



nature of injury and also considering their period of custody, submission of charge-sheet, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 325 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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