

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74392 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- DURAULI District- Siwan

1. Prince Chauhan @ Prince Kumar Chauhan, Son of Chhathu Chauhan @ Chhotelal Chauhan, Resident Of Village -Piparahiya, Ps- Darauli, Dist -Siwan
2. Bittu Chauhan, Son of Chhathu Chauhan @ Chhotelal Chauhan, Resident Of Village -Piparahiya, Ps- Darauli, Dist -Siwan
3. Binod Chauhan @ Vinod Kumar Chauhan, Son of Jay Kumar Chauhan, Resident Of Village -Piparahiya, Ps- Darauli, Dist -Siwan
4. Vikash Chauhan @ Vikash Kumar Chauhan @ Vikash Kumar @ Kalu, Son of Chhathu Chauhan @ Chhathulal Chauhan, Resident Of Village -Piparahiya, Ps- Darauli, Dist -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-11-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Darauli P.S. Case No. 07 of 2025, registered for the offences punishable under Sections 191(3), 190, 127(2), 115(2), 109, 303(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita.

3. In the night of the fateful day, while the informant's brother-in-law was going to his house, in the meanwhile, all the



petitioners armed with *lathi*, *danda* and iron rod surrounded his brother-in-law and assaulted him. It is specifically alleged that petitioner no. 1 assaulted him by means of iron rod over his head, besides the omnibus allegation against the other accused persons of causing *lathi* blow. There is further allegation of snatching Rs.50,000 and other valuables.

4. Learned Advocate appearing on behalf of the petitioners submitted that with regard to an occurrence which took place on 07.01.2025, the present FIR came to be instituted on 11.01.2025. In fact, on account of previous enmity, the name of the petitioners have been implicated in this case. The impugned order also suggest that the investigating officer has not submitted the injury report till date. So far the petitioner nos. 1 and 2 are concerned, they have clean antecedent, whereas the petitioner nos. 3 and 4 are made accused in one more case, besides the present one, however, they are on bail.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the delay in lodging of the FIR, coupled with the submission of the petitioners regarding previous enmity, besides the finding



given by the Court below that till date, the injury report has not been submitted in the jurisdictional Court, let the petitioners above named be released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Judicial Magistrate, First Class, Siwan in connection with Darauli P.S. Case No. 07 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that bail bond of the petitioner no. 1 shall be finally accepted, subject to the confirmation with regard to the simple nature of the injury. In case, the injury of the injured (Amit Kumar Chauhan) is found to be grievous in nature, in such circumstances, the bail bond of the petitioner no. 1 shall be refused and he may be directed to approach the Court for regular bail, besides one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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