

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76446 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

1. Timal Chaudhary S/o Ramkhelawan Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
2. Raj Kumar Chaudhary S/o Ramkhelawan Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
3. Bajrangi Chaudhary S/o Raj Kumar Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
4. Kailash Chaudhary S/o Ramkhelawan Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
5. Rohit Chaudhary S/o Kailash Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
6. Karu Chaudhary S/o Mahadev Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
7. Shibu Chaudhary S/o Ramjee Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,
8. Jhinga Chaudhary S/o Ramjee Chaudhary Resident of Village- Sinha, P.S.- Neemchak Bathani, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Neemchak Bathani P.S. Case No. 155/2025 instituted under Sections 191(2), 190, 115(2), 109, 352, 351(2) (3), 303(2) of the BNS, 2023 lodged on 05.07.2025 by the informant, Mantu Chaudhary.

3. As per the prosecution story, it has been alleged that



on 29.06.2025, all the accused/petitioners and others have assaulted the informant and his family members by means of iron rod inflicting injury upon their persons. Accordingly, the FIR

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to the fight amongst their children and they have not committed any offence as alleged in the FIR. It has next been submitted that the incident has taken place on 29.06.2025 and the FIR has been registered on 05.07.2025 after the unexplained delay of six days. It has next been submitted that there is direct allegation of assault against one Laxman Chaudary, Bajrangi Chaudharhy (petitioner no.3) and Karu Chaudhary (petitioner no.6) while allegation against rest of the petitioners being petitioners no. 1, 2, 4, 5, 7 and 8 are general and omnibus in nature. It is further submitted that the injuries which are said to have been caused by petitioners no. 3 and 6 are simple in nature. There is a counter version to the entire incident also for which FIR being Neemchak Bathani PS Case No. 156 of 2025 has also been filed, in which Rekha Devi wife of petitioner no. 6 is said to have sustained injuries and the said injuries, on examination, have been found to be grievous in nature.



5. Learned APP vehemently opposes the prayer for anticipatory bail.

6. Considering the submission of the parties and the facts that both the sides have sustained injuries and there is case and counter case between the parties and there is direct allegation against one Laxman Chaudhary of causing grievous injury who has already been taken into custody, this Court is inclined to extend the petitioners the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned Judicial Magistrate- 1st Class, Gaya subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions:-

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

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners 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.

(Ajit Kumar, J)

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