

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77906 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- CHAUSA District- Madhepura

1. Sonu Kumar S/o Gurudeo Yadav R/o Village- Rasalpur Dhuriya Ward No.09, P.S- Chausa, Dist- Madhepura
2. Nitish Kumar S/o Subodh Yadav R/o Village- Rasalpur Dhuriya Ward No.09, P.S- Chausa, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen, Advocate
Mr.Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Kumar Praveen, learned counsel for the petitioners and Mr. Lalan Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chausa P.S. Case No. 192 of 2025, F.I.R. dated 20.07.2025 for the offences punishable under Sections 115(2), 126(2), 303(2), 351(2), 352, 118(1), 109 of B.N.S. and Section 27 of the Arms Act.

3. According to prosecution case, on July 20, 2025, at approximately 2:00 PM, while the informant was ploughing his field with a tractor, all FIR-named accused persons and five unknown individuals, variously armed, came and abused him



for cultivating the land. Upon protest, Chandradeo Yadav assaulted his head with a dabiya, causing injury and bleeding. The informant's cousin and son were also assaulted with iron rods, causing grievous injuries. Sunil Kumar and Nikhil Kumar fired 4-5 rounds from a country-made pistol. Ashutosh and Nitish Kumar (petitioner no. 2) robbed Rs. 6,500, while Himanshu Kumar snatched a gold chain worth Rs. 25,000 from his nephew. The victims were thereafter taken to PHC Chausa for treatment.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The allegations as alleged in the FIR are false and fabricated. The present case is counter blast of Chausa P.S. Case No. 191/2025 filed by Lalita Devi, wife of Santosh Yadav. He further submits that although there is specific allegation against petitioner no. 1, namely, Sonu Kumar that he assaulted Gautam Kumar and there is specific allegation against petitioner no. 2, namely, Nitish Kumar that he assaulted Manoj Kumar (informant). He further submits that the injury report of the aforesaid injured person suggest that the injury is simple in nature which is caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent, there is case and counter case between the parties and the injury inflicted upon Gautam Kumar and Manoj Kumar are simple in nature, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj, District- Madhepura in connection with Chausa P.S. Case No. 192/ 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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