

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81960 of 2025**

Arising Out of PS. Case No.-226 Year-2024 Thana- PARIHAR District- Sitamarhi

Dilip Chaudhary @ Dilip Kumar Chaudhary Son of Late Adhikari Chaudhary
Resident of Village- Mahadev Patti, P.S.- Parihar, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 24-12-2025 Heard Mr. Ashok Kumar Jha, learned counsel

appearing on behalf of the petitioner and Mr. Mithlesh Kumar

Khare learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Parihar P.S. Case No. 226 / 2024 registered for the
offence(s) punishable under Sections
127(1),115(2),118(1),329(2),303(2), 351(2),3(5), of the BNS.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner took the
informant in the house of the co-accused Gopal Choudhary and
thereafter they assaulted him, as a result of which, he sustained
injury.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent. Petitioner and



informant are agnates. There is no specific allegation against the petitioner and he has been made accused for the reason that Gopal Choudhary was found in his house sitting with him, which shows that he was not present at the time of alleged incidence. Learned counsel further submitted that specific allegation is against co-accused Shashank Chaudhary, who had assaulted the informant with an intention to kill, causing injury on the eye brow.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, I find that the petitioner was not present at the time of alleged incidence, nor he is associated with any of the accused and specific allegation is against co-accused Shashank Chaudhary, who had assaulted the informant with an intention to kill, causing injury on the eye brow, I am of the opinion that petitioner, who is having clean antecedent, has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four 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 learned J.M. 1st Class, Sitamarhi / Concerned Court in connection with Parihar P.S. Case No. 226 / 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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