

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85546 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

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Diplal Chauhan @ Deeplal Chauhan @ Diplal Kumar Son of Prakash Chauhan R/o Village - Ganpat Nagar, P.S. - Neemchak Bathani District -Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr. M. K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-12-2025 Heard Mr. Durgesh Nandan, learned Advocate for the petitioner and Mr. M. K. Nirala, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Neemchak Bathani PS Case No 68 of 2025 dated 16.03.2025 registered for the offence punishable under Sections 126 (2), 115 (2), 109 (2), 303 (2), 352, 351 (2), 351 (3) and 3 (5) of Bharatiya Nyaya Sanhita, 2023.

3. Allegedly when the informant's husband went to attend the call of nature, in the meanwhile, seven named accused persons, including the petitioner, surrounded him and started abusing and assaulting. It is specifically alleged that co-accused Raja Ram Chauhan caught hold the husband of the



informant whereas co-accused Gandhi Chauhan cut his tongue besides the allegation of snatching of Rs 10,000/- and other valuables.

4. Learned Advocate for the petitioner submits that even as per the narrations made in the FIR, no specific allegation of any overt act is attributed against the petitioner. So far as the specific accusation is concerned, the same has been levelled against Raja Ram Chauhan and Gandhi Chauhan, who are not before this Court. In fact, the petitioner, being close family member of Raja Ram Chauhan, his name has been implicated in this case only in order to wreck vengeance and putting pressure. Taking note of the aforesaid facts, one of the co-accused person facing identical allegation has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 74244 of 2025 vide order dated 24.11.2025. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner has actively participated in the crime and assaulted the informant.

6. Regard being had to the submissions made on



behalf of the parties and taking note of the omnibus nature of accusation, coupled with the fact that the case of the petitioner is based on parity with that of co-accused person, who has been accorded the privilege of anticipatory bail, besides the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his 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 Chief Judicial Magistrate, Gaya in connection with Nemchack Bathani P.S. Case No. 68 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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