

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1055 of 2025

Arising Out of PS. Case No.-32 Year-2024 Thana- Chiraiya District- Saharsa

-
1. Manoj Chaudhary @ Manoj Nishad Son of Late Suraj Chaudhary Resident of Village- Alani, P.S.- Chiraiya, Distt.- Saharsa
 2. Mithlesh Chaudhary @ Mithilesh Chaudhary @ Mithilesh Nishad Son of Late Suraj Chaudhary Resident of Village- Alani, P.S.- Chiraiya, Distt.- Saharsa
 3. Tuntun Choudhary @ Tuntun Nishad @Tuntun Chaudhary Son of Late Suraj Chaudhary Resident of Village- Alani, P.S.- Chiraiya, Distt.- Saharsa
 4. Dhruv Chaudhary Son of Jugo Chaudhary Resident of Village- Alani, P.S.- Chiraiya, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-02-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chiraiya Police Station Case No. 32 of 2024, dated 05.08.2024, disclosing offences punishable under Sections 126(2)/115(2)/117(2)/109/303(2)/324(4)/351(3) / 3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that the she-goat of the accused persons entered into the house of the informant and when the informant went to



the house of the accused persons along with the she-goat, hot exchange of words took place between the accused persons and the informant and in the mean while, the petitioner nos. 1, 2 and 3, along with co-accused Rajkumar Chowdhary, started assaulting the informant by means of khanti and lathis, due to which he sustained injuries on his hands and head. It has further been alleged that the petitioner nos. 1 and 4 assaulted the brothers of the informant, namely, Mohit and Lorik, by means of lathi and khanti, due to which they also sustained injuries.

4. Learned Counsel for the petitioners submits that the petitioners has not committed any offence in the manner alleged and the occurrence has taken place over a petty issue of entering of she-goat of the accused persons in the house of the informant. He further submits that the side of the petitioner has lodged Chiraiya Police Station Case No. 33 of 2024 for the occurrence which took place on the same date and time. He further submits that the injuries received by the injured on the vital part of their bodies are simple in nature and the grievous injuries caused to them are on the non-vital part of their bodies.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that the occurrence took place due to petty dispute of entering of she-goat of the accused persons, in the house of the informant, case and counter case is there and the grievous injuries caused to the victims are on their non-vital part of the bodies, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Saharsa, in connection with Chiraiya Police Station Case No. 32 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

