

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1128 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- PATEPUR District- Vaishali

Bindeshwar Chaudhary @ Gultaini Chaudhary Son of Late Shiva Chaudhary
@ Shiva Mahto Village -chakharihar P.S -Patepur District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Patepur P.S. Case No.228 of 2024, lodged on 02.08.2024, under Sections 127(I)/115(2)/109/303(2)/76/3(5) of the B.N.S. Act.

3. As per the prosecution, FIR has been lodged against the present petitioner alleging therein that he has assaulted the informant by iron rod with a view to kill her due to which bleeding started.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the case has been lodged with a view to teach lesson to the petitioner. Counsel submits that antecedent of the petitioner is not clean. There is one criminal case pending against the petitioner. Counsel submits that on previous occasion case-diary along with injury report was called for.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Case-diary and injury report has been received. From the injury report it transpires that injury is grievous caused by hard and blunt substance.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby rejected. However, since the dispute is of petty nature, therefore, it is directed that the Trial Court, upon surrender of the petitioner within four weeks from today, shall decide the regular bail application of the petitioner on the same day without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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