

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5853 of 2026**

Arising Out of PS. Case No.-420 Year-2025 Thana- PAKARIBARAW
District- Nawada

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Bhagirath Chaudhary, aged-20 years, S/o Bhola Chaudhary Resident of
village - Thalposh, P.S - Pakaribarawan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks anticipatory bail in a case
registered for the offences punishable under Sections 126(2),
115(2), 117(2), 109, 352, 3(5) of the BNS.

3. As per allegation in the FIR, on 17.10.2025, the
petitioner along with other co-accused persons started abusing
and assaulting the informant and his brother over a quarrel for
throwing garbage after which the accused persons threw bricks
and also assaulted the informant and his family members with
iron rod upon which informant and his brother got several
injuries.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. He next submits that the alleged occurrence took place on 17.10.2025 but the FIR was lodged on 20.10.2025 after a delay of three days without any plausible explanation. He next submits that both the parties are neighbours and hence, there is admitted land dispute between the parties for passage. He next submits that after examining the injured, the Doctor has given his opinion that injury of injured, Dharmendra Chaudhary is grievous in nature but injury of informant, namely, Upendra Chaudhary is simple in nature. He next submits that petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is specific allegation of assault against the present petitioner.

6. On perusal of the First Information Report, Impugned Order dated 22.12.2025, it appears that there is direct and specific allegation of assault upon the present petitioner and also the fact that injury sustained by injured, Dharmendra Chaudhary is grievous in nature and injury sustained by injured, Upendra Chaudhary is simple in nature. So, considering aforesaid facts and circumstances of the case and submissions made by learned counsels for both the parties, I am not inclined



to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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