

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9116 of 2026

Arising Out of PS. Case No.-182 Year-2025 Thana- BAIRIYA District- West Champaran

1. Guddu Kumar S/O Suresh Chaudhary R/O Village- Bagahi Ratanpura, Police station- Bairiya, District- West Champaran
2. Suresh Chaudhary S/O Hiralal Chaudhary R/O Village- Bagahi Ratanpura, Police station- Bairiya, District- West Champaran
3. Minesh Chaudhary S/O Suresh Chaudhary R/O Village- Bagahi Ratanpura, Police station- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bairiya P.S. Case No. 182 of 2025, instituted for the offences under Sections 126(2), 115(2), 118(1), 109, 303(3), 352, and 3(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that petitioners along with other co-accused persons abused and assaulted the informant due to which he sustained injuries.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. It has been submitted on behalf of the petitioners that the petitioner have three criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. There is specific allegation against the petitioners that petitioner No.1 and other co-accused caught hold the informant and on the order of petitioner No.2, Petitioner no.3 Minesh Chaudhary assaulted the informant by means of iron rod on his head. Therefore, petitioners do not deserve to be released on anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner No.1 and 2 namely Guddu Kumar and Suresh Chaudhary, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bairiya P.S. Case No. 182 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita,



2023.

7. So far as petitioner No.3 Minesh Chaudhary is concerned, considering nature and gravity of offence and there is direct allegation of assault against the petitioner No.3, in my view, this is not a fit case for anticipatory bail.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner no.3 Minesh Choudhary is, hereby, **rejected.**

9. However, if the petitioner No.3 surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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