

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7916 of 2026

Arising Out of PS. Case No.-114 Year-2025 Thana- PASRAHA District- Khagaria

1. Seema Devi Son of Sunil Chaurasia All are Resident of Village - Jhanjhna, P.S. - Pasraha, District - Khagaria.
2. Raju Kumar Son of Sunil Chaurasia All are Resident of Village - Jhanjhna, P.S. - Pasraha, District - Khagaria.
3. Shivam Kumar Son of Sunil Chaurasia All are Resident of Village - Jhanjhna, P.S. - Pasraha, District - Khagaria.
4. Sunil Chaurasia Son of Upendra Chaurasia @ Upendra Mandal All are Resident of Village - Jhanjhna, P.S. - Pasraha, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Pasraha P.S. Case No. 114 of 2025 lodged on 03.05.2025, for the offences punishable under sections 126(2), 115(2), 118(1), 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against five named accused persons, including the petitioners. It is alleged therein that all the accused persons reached the house



of the informant and started abusing him. Upon protest being made, petitioner no. 4, Sunil Chaurasiya, allegedly assaulted the informant with an iron rod, while petitioner no. 2, Raju Kumar, assaulted him with a *dabiya*, causing injury on his head/hand. It is further alleged that one of the petitioners assaulted the wife of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that both the petitioners and the informant are residents of the same village and there exists a case and counter-case between the parties. Petitioner no. 4 has instituted Pasraha P.S. Case No. 115 of 2025 against the informant and others, wherein he himself sustained grievous injuries. It is also contended that the cause of the alleged occurrence has not been disclosed in the F.I.R., which casts serious doubt on its veracity. Moreover, the antecedents of the petitioners are clean and the injuries alleged are simple in nature.

5. Learned A.P.P. for the State opposes the prayer for bail; however, he fairly submits that, to verify the submission of the petitioners regarding a free fight between the parties, wherein petitioner no. 4, Sunil Chaurasiya, sustained head injury and lodged Pasraha P.S. Case No. 115 of 2025, the case



diary was called for on an earlier occasion.

6. Having regard to the facts and circumstances of the case, and upon perusal of the case diary, it transpires that the injuries sustained are simple in nature and there exists a case and counter-case between the parties, let the above named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Judicial Magistrate, 1st Class, Khagaria, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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