

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13958 of 2026

Arising Out of PS. Case No.-389 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Ganpati Chaudhary S/o Late Radhe Chaudhary R/o Village - Hirni, P.S - Kusheshwar Asthan, District - Darbhanga
 2. Natwar Chaudhary @ Natbar Chaudhary S/o Ganpati Chaudhary R/o Village - Hirni, P.S - Kusheshwar Asthan, District - Darbhanga
 3. Sudarshan Chaudhary @ Parbhajan @ Sudarshan S/o Ganpati Chaudhary R/o Village - Hirni, P.S - Kusheshwar Asthan, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Kusheshwar Asthan P.S. Case No. 389 of 2024 instituted for the offences punishable under Sections 126(2), 127(2), 115(2), 118(2), 110, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioners along with others variously armed with lathi, danda, wooden block and iron rod etc. entered the house of the informant and started abusing. It is further alleged that on the orders of petitioner no. 1



a co-accused namely Mukesh Chaudhary attacked the informant with iron rod on his head. It is further alleged that petitioner no. 1, Ganpati Chaudhary assaulted the informant on his head with wooden block while the wife of the informant was assaulted by Natwar Chaudhary and Sudarshan Chaudhary with iron rod causing injury on her head.

4. Learned counsel for the petitioners submits that the allegations levelled against the petitioners are general and omnibus, however specific allegation of assault upon the informant was on Mukesh Chaudhary and the application as far as petitioner, Mukesh Chaudhary is concerned, that has already been withdrawn and his name stands deleted in the present petition. It has further been submitted that as far as allegation of assault by Natwar Chaudhary and Sudarshan Chaudhary upon Sushila Devi is concerned, the injuries have been annexed with the petitioner which goes on to show that the injuries were simple in nature. It has next been submitted that on account of land dispute, there was an altercation and the present FIR with exaggerated version of the incident has been lodged. It has lastly been submitted that petitioners have one criminal case against their names.

5. Learned APP appearing on behalf of the State has



vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 389 of 2024, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident:

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that they have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed



for purpose of the same on in the name of
verification.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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