

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16139 of 2026

Arising Out of PS. Case No.-288 Year-2025 Thana- BASOPATTI District- Madhubani

1. Bhuvneshwar Chaudhary S/O Late Ramashish Chaudhary Resident of Village- Gamhariya Ward No.- 13 P.S.- Harlakhi, District- Madhubani.
2. Rajiv Chaudhary Son of Bhuvneshwar Chaudhary. Resident of Village- Gamhariya Ward No.- 13 P.S.- Harlakhi, District- Madhubani.
3. Amit Chaudhary Son of Bhuvneshwar Chaudhary. Resident of Village- Gamhariya Ward No.- 13 P.S.- Harlakhi, District- Madhubani.
4. Gunjan Devi @ Gunja Devi Wife of Rajiv Chaudhary. Resident of Village- Gamhariya Ward No.- 13 P.S.- Harlakhi, District- Madhubani.
5. Satyam Kumar @ Satyam Kumar @ Satyam Kumar Chaudhary S/O of Rajiv Chaudhary. Resident of Village Gamhariya Ward No. 13 P.S. Harlakhi District Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Ranjan, Adv.
For the Opposite Party/s	:	Mr.Binod Kumar, APP
For the Informant	:	Mr.Gagan Deo Yadav, Adv.
		Mr.Vinod Kumar, Adv.
		Mr.Rajesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-05-2026 Heard Learned Counsel for the petitioners, Learned
APP for the State and learned counsel for the Informant.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Basopatti P.S. Case No.288 of 2025 under Sections 126(2), 115(2), 352, 127(2), 110, 76, 303(2), 61(2) & 3(5) of the BNS.

3. As per the prosecution, the FIR has been lodged against 5 named and 4-5 unknown persons with allegation that



Petitioner No.3 (Amit Chaudhary) has assaulted the informant by fursa and against Rajiv Chaudhary (petitioner No.2), he has assaulted by axe on the head of the informant. Repeated assaulted on the chest was also made to the informant. Further allegation is against petitioner No.1 that he caught the brother of the informant and allegation against Satyam Kumar (petitioner No.5) to assault by fursa due to which brother of the informant was also injured thereafter, allegation of snatching of jewellery and cash money is also there.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the petitioners and informant, both are resident of same village and they are well-known to each other. He submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. The informant has lodged case i.e., Basopatti P.S. Case No.288 of 2025 (present case) and the petitioner has lodged case i.e., Harlakhi P.S. Case No.341 of 2025.

5. Counsel submits that the criminal antecedent of the petitioner No. 3 is clean and petitioner Nos.1,2,4 & 5 has one criminal antecedent in which they are on bail. He further submits that the petitioners are ready to fulfill all the conditions



whatsoever shall be imposed upon them.

6. Counsel further submits that from the content of FIR filed by the informant's side, it becomes crystal clear that they have also caused injury to the petitioners and tried to kill them. He further submits that scuffling took place from both sides and injury has been caused to both parties. He further submits that injury has come in the case diary.

7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that injury report which has been acknowledged in the rejection order, it becomes crystal clear that both informant and his brother was brutally assaulted and their situation was critical. He further submits that the nature of injury is dangerous and caused by sharp weapon.

8. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is no allegation of assault against petitioner Nos.1 & 4.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner Nos.1 and 4 namely, Bhuvneshwar Chaudhary and Gunjan Devi, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in



Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate First Class, Madhubani, in connection with Basopatti P.S. Case No.288 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

10. So far as the petitioner Nos.2, 3 & 5 namely, Rajiv Chaudhary, Amit Chaudhary and Satyam Kumar, are concerned, this Court is not inclined to grant anticipatory bail to the petitioner Nos.2, 3 & 5, therefore the bail application of the petitioner Nos.2, 3 & 5 is hereby rejected.

11. However, trial court is directed to consider the regular bail application of the petitioner Nos.2, 3 & 5, if they surrender within 4 weeks from today and pray for regular bail, then trial court shall pass order on merit without being prejudice of the present order.

(Dr. Anshuman, J)

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