

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29534 of 2026

Arising Out of PS. Case No.-38 Year-2026 Thana- SIMRI District- Buxar

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1. Sanjay Chaudhary S/O Nandjee Choudhary Resident of village- Kazipur, Police Station -Simari, District- Buxar.
 2. Kundan Chaudhary S/O Sanjay Chaudhary Resident of village- Kazipur, Police Station -Simari, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-05-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Simari P.S. Case No. 38 of 2026 for the offence under sections 126(2), 115(2), 117(2), 109, 125, 281, 303(2), 351(2), 352 and 3(5) of the BNS.

3. As per the prosecution story, the informant alleged that while moving towards the school, a truck tried to hit him. Upon protest, the accused persons including the petitioners herein assaulted causing injury. This led to the FIR.

4. Learned counsel for the petitioners submit that an altercation took place which has been exaggerated and one of the injury has been recorded as simple in nature. Further, the



submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs. 5,000/- each (totalling Rs. 10,000/-) towards the medical assistance through Demand Draft issued by the local State Bank of India/any Nationalized Bank branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that they have criminal antecedent.

6. Taking into account the submissions of the parties as also that the assault theory is omnibus in nature, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 5,000/- each (totalling Rs. 10,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India branch/any Nationalized bank branch to be submitted to the Trial Court and to be handed over to the informant.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the



receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of the Court concerned in connection with Simari P.S. Case No. 38 of 2026 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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