

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32836 of 2026**

Arising Out of PS. Case No.-429 Year-2024 Thana- NARDIGANJ District- Nawada

Chhotu Chaudhary @ Chhotu Kumar S/O Kameshwar Chaudhary Resident
Of Village - Ichua, P.s- Nardiganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 13-05-2026 Heard Mr. Sheo Kumar Prasad, learned counsel for
the petitioner and Mr. Zainul Abedin, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.02.2026 in connection with Nardiganj P.S. Case No. 429 of
2024 for the offences punishable under Sections 191(2), 191(3),
190, 126(2), 115(2), 303(2), 118(1), 352, 351(3) and 109 of the
BNS.

3. The case of the prosecution, in brief, is that on
08.12.2024 at about 10:00 p.m., eight accused persons,
including the petitioner, acting in furtherance of their common
intention, started abusing, assaulting, and extending threats to
commit theft in the house as well as of the paddy crops from the
field. In the meantime, accused Chhotu Chaudhary assaulted the



informant's grandson, Suraj Kumar, with a rod, causing a head injury, as a result of which he started bleeding from his head. Accused Pankaj Chaudhary assaulted the informant on his left hand with a stick, causing a fracture. Upon hearing the commotion, the informant's nephew Santosh Mistri, arrived at the place of occurrence, whereupon accused Sitaram Chaudhary assaulted him on his forearm with a lathi. When the informant's cousin daughter-in-law, Sanju Devi, came to his rescue, accused Rakesh Chaudhary assaulted her on her backside with a bat and snatched her golden chain worth Rs. 40,000/-. Thereafter, the informant along with his family members received treatment at P.H.C. Nardiganj and subsequently submitted an application before the police authorities.

4. Learned counsel for the petitioner submits that from perusal of the FIR it appears that due to some petty dispute the present occurrence has taken place although there is specific allegation against the petitioner that he has assaulted the grandson of the informant, namely, Suraj Kumar by means of iron rod and the injury received is simple in nature caused by hard and blunt substance and the police after investigation has submitted charge-sheet and petitioner is in custody since 02.02.2026.



5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three cases other than the present case.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada in connection with Nardiganj P.S. Case No. 429 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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