

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41615 of 2026

Arising Out of PS. Case No.-401 Year-2025 Thana- NARDIGANJ District- Nawada

1. Prakash Chauhan @ Pragash Chauhan S/o Late Dukhi Chauhan Resident Of Village - Sirpatiya, P.S. - Nardiganj, District - Nawada
2. Upi Chauhan @ Upendra Chauhan S/o Prakash Chauhan Resident Of Village - Sirpatiya, P.S. - Nardiganj, District - Nawada
3. Ratan Chauhan S/o Prakash Chauhan Resident Of Village - Sirpatiya, P.S. - Nardiganj, District - Nawada
4. Suresh Kumar S/o Prakash Chauhan Resident Of Village - Sirpatiya, P.S. - Nardiganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Nardiganj P.S. Case No. 401 of 2025 instituted for the offences punishable under Sections 115(2), 126(2), 117(2), 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, allegation against the petitioners is that they have jointly assaulted the informant with lathi and iron rod along with other accused persons.



4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case with general and omnibus allegations. It has further been submitted that the parties are agnates and on account of some dispute, in the heat of the moment an altercation took place and certain persons received injuries, however from perusal of the impugned order, it would be evident that the injuries found on the head of the informant, which was specifically attributed to Chinta Devi and Sulekha Devi was found to be simple in nature. It has lastly been submitted that the entire family members have falsely been implicated.

5. The petitioners no. 1 to 3 have two criminal antecedents while petitioner no. 4 has no criminal history.

6. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

7. 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 Judicial Magistrate 1st Class, Nawada



in connection with Nardiganj P.S. Case No. 401 of 2025, 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 physically 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 antecedents of the petitioner and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same in the name of verification.

(v) If the petitioners, in future, are found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

8. 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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