

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44233 of 2026

Arising Out of PS. Case No.-137 Year-2026 Thana- NAUTAN District- West Champaran

1. Govinda Chaudhary son of Nathuni Chaudhary Resident of village- Baira Parsauni Nautan Dubey, Ps- Nautan, Dist- West Champaran
2. Sriram Kumar Chaudhary @ Mogal Chaudhary Son of Shailendra Chaudhary Resident of village- Baira Parsauni Nautan Dubey, Ps- Nautan, Dist- West Champaran
3. Sailendra Chaudhary Son of Nathuni Chaudhary Resident of village- Baira Parsauni Nautan Dubey, Ps- Nautan, Dist- West Champaran
4. Golu Kumar son of Govinda chaudhary Resident of village- Baira Parsauni Nautan Dubey, Ps- Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 08-07-2026 At the outset, learned counsel for the petitioners submits that he may be permitted to withdraw the anticipatory bail application of petitioner no.2, namely, Sriram Kumar Chaudhary @ Mogal Chaudhary and petitioner no.3, namely, Sailendra Chaudhary.

2. Permission is accorded.



3. The anticipatory bail application of petitioner no.2, namely, Sriram Kumar Chaudhary @ Mogal Chaudhary and petitioner no.3, namely, Sailendra Chaudhary stands dismissed as withdrawn.

4. Now the anticipatory bail application only survives on behalf of the petitioner no.1, namely, Govinda Chaudhary and petitioner no.4, namely, Golu Kumar.

5. Heard learned counsel for the petitioners and learned A.P.P. for the State.

6. The petitioner no.1, namely, Govinda Chaudhary and petitioner no.4, namely, Golu Kumar apprehend their arrest in connection with Nautan, P.S. Case No. 137 of 2026 registered for the offences under Sections 126(2), 115(2), 118(1), 109(1), 351(2), 351 and 3(5) of the I.P.C.

7. As per the prosecution case, the named accused persons, including the petitioners, all variously armed, came to the doors of the informant on account of some previous enmity and started abusing the brother of the informant. When the same was protested, the accused persons, namely, Sanjay Kumar, caused a head injury to the brother of the informant, while accused Govinda Chaudhary assaulted him with an iron rod and later accused Mogal Chaudhary inflicted a knife injury and co-



accused Golu Kumar caused fracture on the head of his younger brother.

8. Learned counsel for the petitioners submits that the allegation of assault on the head and causing grievous injury is not corroborated by the injuries sustained by the injured persons, which were all found to be simple in nature, though on the head. It has further been submitted that the injuries were superficial and it was on account of a long-standing dispute, the incident occurred in the heat of the moment. It has next been submitted that contrary to the claim made in the FIR, all the four injured persons have received only single injury on their person. It has lastly been submitted that petitioner nos. 1 and 4, namely, Govinda Chaudhary and Golu Kumar, respectively, have clean antecedents.

9. Learned APP for the State has opposed the prayer for anticipatory bail.

10. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no.1, namely, Govinda Chaudhary and petitioner no.4, namely, Golu Kumar be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Nautan, P.S. Case No. 137 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

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

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

11. Accordingly, the prayer for anticipatory bail is allowed.



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

(Sourendra Pandey, J)

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