

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45308 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- THAKRAHA District- West Champaran

Vijay Chauhan S/o Shiv Shankar Mahto R/o Village - Thakraha, Police station
- Thakraha, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prerna Anand

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-07-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Thakraha P.S. Case No.30/2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 351(2), 352 and 3(5) of the B.N.S.

3. As per FIR, petitioner alleged to assault the husband of the informant, namely, Mukesh Chauhan during the occurrence, causing head injury. Occurrence alleged to be arising out of trivial neighborhood disputes due to high volume of P.A. system.

4. It is submitted by learned counsel appearing on behalf of the petitioner that occurrence was free fight in nature, where both parties received injuries. It is submitted that for the same set of occurrence petitioner's side also lodged case, which was registered as Thakraha P.S. Case No. 32 of 2026. It is submitted that through FIR, the injury as received by petitioner's side not appears explained, just to aggravate the allegation against the petitioner. It is



pointed out that upon medical examination, the nature of injury upon brother-in-law of the informant namely Nikesh, upon medical examination found simple in nature. Alleged assault also not said repeated. It is pointed out that both these aspects collectively sufficient to constitute that the petitioner was not under intention to cause death of the husband of the informant, namely, Mukesh Chauhan. Petitioner found involved in one more case, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as the occurrence was free fight in nature, where allegation *qua* causing head assault appears not repeated, moreover nature of injury also found simple, prima facie negating intention to cause death, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bagaha, Champaran/concerned Court in connection with Thakraha P.S. Case No. 30 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

