IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77003 of 2026

CNR No. BRHC011050372026

Arising Out of PS. Case No.-201 Year-2026 Thana- BACHHWARA District- Begusarai

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1. Shashi Bhushan Choudhary @ Shashi Bhushan Chaudhary S/o Late Prashiddh Narayan Choudhary R/o Village - Godhana, Ward No. 08, P.S - Bachhwara, District - Begusarai
2. Mukesh Choudhary @ Mukesh Kumar Choudhary S/o Sachidanand Choudhary R/o Village - Godhana, Ward No. 08, P.S - Bachhwara, District - Begusarai
3. Rajeev Choudhary S/o Sachidanand Choudhary R/o Village - Godhana, Ward No. 08, P.S - Bachhwara, District - Begusarai

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioners : Mr. Niraj Kumar, Advocate
For the State : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

2 04-11-2026 Heard the learned counsel for the petitioners and the learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Bachhwara P.S. Case No.201 of 2026 for allegedly having committed offences under Sections 126(2), 115(2), 109 and 3(5) of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that while he was at his field, all the named accused persons, including the petitioners herein came armed with weapons and

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iron rod. The petitioner no.1, who was armed with a pistol, pointed it on the informant and started using filthy language against him. When the informant disclosed the reason for coming to the field and told the petitioner no.1 to get the land measured, an altercation took place. The petitioner no.2, who was armed with an iron rod, with an intention to kill the informant, assaulted on his head, due to which he sustained injuries on his head and blood started oozing out. In the meantime, the petitioner no.3 along with two other accused persons namely Sonu Kumar and Priyanshu assaulted the informant with stick on his chest and other parts of his body, due to which he again sustained injuries and thereafter all the accused persons fled from there. The neighbour of the informant namely Chiku Choudhary brought him to Bachhwara police station.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He submits that from the first information report itself it would transpire that on account of a minor scuffle the present occurrence is said to have taken place. He submits that the entire family of the petitioner no.1 has been made an accused in the present case. The learned counsel for the petitioners next submits that for the same occurrence Bachhwara P.S. Case No.204 of 2026 has been registered on the information given by the son of the petitioner no.1 against the informant and others. He further submits that the

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petitioners have got a clean antecedent.

5. *Per contra*, the learned APP appearing on behalf of the State, while opposing the prayer for grant of anticipatory bail to the petitioner, submits that specific allegation of assault has been levelled against the petitioners no.2 and 3 of assaulting on the head and other parts of the body of the informant, therefore the petitioners do not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that there was a minor scuffle in between the petitioners and the informant for measurement of the land. It has been specifically alleged that the petitioner no.2, who was armed with an iron rod, assaulted on the head of the informant, due to which he sustained injuries and and fell down and thereafter the petitioner no.3 and two other accused persons assaulted on the chest and other body parts of the informant with stick. From perusal of the impugned order dated 10.09.2026 passed by the learned District & Additional Sessions Judge-XI, Begusarai, it would transpire that the learned Judge has considered the injuries sustained by the informant and which has been recorded in paragraph no.60 of the case diary. From perusal of the impugned order, it would transpire that the learned Judge has recorded that the medical officer found the injuries sustained by the informant to be simple in nature caused by hard and blunt

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substance.

7. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai in connection with Bachhwara P.S. Case No.201 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of their bail bonds. 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.

(Ritesh Kumar, J.)

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