IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75502 of 2026

CNR No. BRHC011083022026

Arising Out of PS. Case No.-198 Year-2026 Thana- RAGHUNATHPUR District- Siwan

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1. Rahul Chourasiya @ Rahul Kumar Prasad S/o Rajkishor Chourasiya Resident of vill- Khujwan, PS- Raghunathpur, Distt- Siwan
2. Shambhu Chourasiya @ Shambhu Barayi S/o Late Saryu Chourasiya Resident of vill- Khujwan, PS- Raghunathpur, Distt- Siwan
3. Prem Chourasiya @ Prem Kumar Prasad S/o Shambhu Chourasiya Resident of vill- Khujwan, PS- Raghunathpur, Distt- Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The Petitioners are apprehending their arrest in connection with Raghunathpur P.S. Case No. 198 of 2026 registered for the offence punishable under Sections 126(2), 115(2), 118(2), 324(4), 352, 351(2) and 3(5) of the BNS.

3. As per the prosecution case, on 18.07.2026, at about 1:00 P.M., the informant was proceeding towards Mukim Tola on his motorcycle. When he reached near Dihbaba, co-accused Rajkishore Chaurasia intercepted his motorcycle. Thereafter, the co-accused persons, including the petitioners,

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started abusing him. In the meantime, co-accused Rakesh Chaurasia and petitioner no. 1, Rahul Chaurasia, started assaulting him. Thereafter, co-accused Rajkishore Chaurasia repeatedly assaulted the informant on his chest by means of iron rod, while co-accused Amit Chaurasia assaulted him on the head by means of farsa. Subsequently, petitioner nos. 2 and 3, Shambhu Chaurasia (petitioner no. 2) and Prem Chaurasia (petitioner nos. 3), assaulted the informant with lathi, as a result of which he fell to the ground.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It has been submitted that there is a delay of two days in lodging the present F.I.R. Referring to the impugned order dated 21.09.2026, learned counsel has submitted that the injuries sustained by the informant, as discussed therein, were found to be simple in nature, whereas the allegation of the head injury is specifically attributed to co-accused Amit Chaurasia. Thus, it has been submitted that the allegations of assault made in the F.I.R. are not substantiated by the injury report. Lastly, it has been submitted that the petitioners have two criminal antecedents, in both of which they are on bail, as stated in paragraph 3 of the bail petition.

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5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, particularly the fact that the injuries sustained by the informant were found to be simple in nature, coupled with the fact that the allegations against the petitioners are not corroborated by the injury report and there is a delay in lodging the F.I.R., let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 court concerned, Siwan, in connection with Raghunathpur P.S. Case No. 198 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. Accordingly, the present application stands allowed.

(Praveen Kumar, J)

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