

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75647 of 2025

Arising Out of PS. Case No.-298 Year-2025 Thana- RAFIGANJ District- Aurangabad

Sudhir Chaudhary S/o Budhu Chaudhary R/o Village- Akauni, P.S.- Rafiganj,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kamlendra Prasad Singh, Advocate
For the State	:	Mr.Jitendra Kumar Singh, APP
For the Informant	:	Mr. Gaurav Singh, Advocate
		Mr. Abhijeet Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-02-2026 Heard Mr.Kamlendra Prasad Singh, learned counsel

for the petitioner and Mr. Gaurav Singh, learned counsel for the

informant as also Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending arrest in connection
with Rafiganj P.S. Case No. 298 of 2025 instituted under
Sections 190, 191(2), 115(2), 126(2), 109(1), 352, 351(2) of the
Bhartiya Nayay Sanhita, 2023 lodged on 26.06.2025 by the
informant, Rina Kumari.

3. As per the prosecution story, the informant alleged
that she being the single child, her uncle have eyes on the
paternal property and in continuation of that, they assaulted her
father and mother. Both received injuries on the head. They were



shifted to Sadar Hospital, Aurangabad which followed the FIR.

4. Learned counsel for the petitioner submits that a scuffle took place. Both sides had some injuries, it has been exaggerated, the injury report is at Annexure-2 which shows that the same has been found to be simple in nature. The petitioner do not have criminal antecedent.

5. Last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.10,000/- each (Rs.20000/-) through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to both the injured after checking the credential.

6. Learned APP as also learned counsel for the informant opposes the prayer submitting that though the injury is simple in nature, both suffered injury on the head. It is really condemnable that for family property specially when there is female child, the accused assaulted their own brother/sister-in-law as in the present case.

7. However, considering the facts that the petitioner is the own brother having no criminal antecedent, injury has been found to be simple in nature, in that background, this Court is



inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- each (Rs.20000/-) through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to both the injured after checking the credential.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Rafiganj P.S. Case No. 298 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

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

