IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79191 of 2026

CNR No. BRHC011110212026

Arising Out of PS. Case No.-94 Year-2025 Thana- RAJPUR District- Buxar

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1. Sonu Chouhan @ Sonu Noniya S/O Rajendra Chouhan R/O Village-Akbarpur, P.S.- Rajpur, Distt.- Buxar.
2. Tiwari Kumar @ Tiwari Kumar Chouhan S/O Vikash Chouhan R/O Village-Akbarpur, P.S.- Rajpur, Distt.- Buxar.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 25-11-2026 Heard learned Advocate for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Rajpur P.S. Case No.94 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 74, 352, 351(2), 351(3) & 3(5) of the BNS.

3. The allegation against the petitioners is of snatching of Rs. 66,000 besides causing assault to the informant and his sister.

4. Learned Advocate for the petitioners submits that, as a matter of fact, the informant runs an egg shop and that a dispute arose between the parties in connection with a business transaction, which ultimately led to the institution of the present case with a view of settling scores. It is further submitted that all

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the injuries allegedly attributed to the petitioners have been opined to be simple in nature. Moreover, during the course of investigation, the police did not even submit a charge-sheet under Section 303(2) of the BNS (corresponding to Section 379 of the IPC). Considering the nature of the allegations, the petitioners were also extended the benefit of Section 35(3) of the BNSS during the course of investigation. However, it is contended that, despite the aforesaid circumstances, the police ultimately submitted a charge-sheet for the offences alleged in the FIR, necessitating the filing of the present application. So far as the criminal antecedents are concerned, petitioner Nos. 1 and 2 have one and two criminal antecedents respectively, as disclosed in paragraph No.3 of the bail application; however, both the petitioners are presently on bail in all the aforesaid cases.

5. On the other hand, learned Advocate for the State vehemently oppose the bail application and submitted that the petitioners have not only actively participated in the crime, but brutally assaulted and snatched Rs. 66,000.

6. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the fact that the police after investigation has not submitted

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charge-sheet under Section 303(2) of the BNS, and besides there is no eyewitness to the alleged offence, and the injuries have been found to be simple in nature, and the undertaking of the petitioners that they will fully cooperate in the proceeding of the Court and would not indulge in such activities, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Rajpur P.S. Case No.94 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition which are as follows:

(I) One of the bailors shall be the own/close family members of the petitioners.

(II) If the petitioners shall be found indulged in such activities or causing threat to the informant and others, the informant shall be at liberty to file an application for cancellation of their bail.

(Harish Kumar, J)

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