

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81913 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- RAHIKA District- Madhubani

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1. Kapil Kumar Chaudhary @ Kapil Chaudhary, S/o Laxmi Chaudhary;
 2. Laxmi Chaudhary, S/o Dhanik Lal Chaudhary;
 3. Laxman Chaudhary @ Laxman Kumar Chaudhary @ Lakshman Chudhary,
S/o Uttim Lal Chaudhary;
- All are R/o Village- Jagatpur, P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Rahika P.S. Case No. 26 of 2025 registered for the offence(s) under Section(s) 333, 131, 115(2), 324(5), 308(5), 303(2), 352, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).



3. As per the prosecution case, the informant has alleged that while he was going along with his friend to his land for the demarcation of the same, the named accused persons including the petitioners, armed with deadly weapons, came to him and on protest, they all started assaulting the informant and his friend with lathi, fists, legs etc. It has further been alleged that co-accused/Rupesh Paswan called other accused persons and they all started supporting the accused/Kapil Chaudhary. It has also been alleged that the petitioner assaulted and snatched away gold chain and also damaged the motorcycle.

4. It has been submitted on behalf of the petitioners that the allegations of demand of extortion and assault are all false and frivolous and there is no evidence to support the same. It has next been submitted that no such occurrence has taken place as stated by the informant and, in fact, the informant and others are accused in Rahika P.S. Case No. 11 of 2025 and in order to settle personal scores, the present false and fabricated case was lodged. It has been submitted that the parties have also compromised though few offences are not compoundable. It has lastly been submitted that the petitioners have clean antecedent.

5. The learned A.P.P. for the State has vehemently



opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Rahika P.S. Case No. 26 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the concerned Court.

(iv) If the petitioners, in future, is found to be



involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedent, the Court concerned shall take necessary steps for cancellation of their bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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