

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86783 of 2025

Arising Out of PS. Case No.-419 Year-2025 Thana- DIGHWARA District- Saran

1. Vijay Kumar Chaudhary @ Vijay Chaudhary S/O Dahaur Chaudhary Resident of village- Kuraiyan (Ward No. 10), P.O.- Ismaila, P.S.- Dighwara, District- Saran at Chapra, Pin Code- 841221.
2. Kariman Chaudhary @ Ravi Kumar Chaudhary Son of Lalan Chaudhary Resident of village- Kuraiyan (Ward No. 10), P.O.- Ismaila, P.S.- Dighwara, District- Saran at Chapra, Pin Code- 841221.
3. Sunny Chaudhary @ Sunny Kumar Son of Lalan Chaudhary. Resident of village- Kuraiyan (Ward No. 10), P.O.- Ismaila, P.S.- Dighwara, District- Saran at Chapra, Pin Code- 841221.
4. Mithilesh Chaudhary @ Mithilesh Kumar Chaudhary Son of Jwala Chaudhary. Resident of village- Kuraiyan (Ward No. 10), P.O.- Ismaila, P.S.- Dighwara, District- Saran at Chapra, Pin Code- 841221.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
For the State	:	Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Jeetendra Narayan, learned counsel for the petitioners and Mr. Tarun Prasad Mandal, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Dighwara P.S. Case No. 419 of 2025, F.I.R. dated 22.10.2025 registered for the offences punishable under Sections 126(2), 115(2), 109 read with 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. Allegation against the petitioners is that they along



with other co-accused persons started abusing and assaulted the informant and his family members by brick batting and stones due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. There is case and counter case between the parties.

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

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act attributed against these petitioners and there is case and counter case between the parties, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Classs, Saran at Chapra in connection with Dighwara P.S. Case No. 419 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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