

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88081 of 2025

Arising Out of PS. Case No.-542 Year-2024 Thana- FATEHPUR District- Gaya

1. Kamla Devi W/o Mahesh Chaudhary R/o Village -Jagarnathpur, P.S.- Fatehpur, District -Gaya
2. Sanjeet Chaudhary S/o Vijay Chaudhary R/o vill - Pawaye, P.S. - Meksaur, Distt.- Nawada
3. Jitendra Chaudhary S/o Late Jamuna Chaudhary R/o vill - Thekahi, P.s.- Sirdala, Distt.- Nawada
4. Ajeet Kumar @ Lakhan Chaudhary S/o Vijay Chaudhary R/o vill - Pawaye, P.S. - Meksaur, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 190, 191(1), 126(2), 115(2), 117(2), 110, 352, 329(4) of BNS.

3. The allegation against the petitioners is that they along with other co-accused persons have formed an unlawful assembly and in furtherance of the common object of the same, they have abused and assaulted the informant and his father due to which they sustained injuries.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioners of assault and the petitioners have no criminal antecedent, as statement made in para 3 of the bail application. He further submits that the injuries sustained by the informant is simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and from perusal of the record, it appears that there is case and counter case between the parties. The allegation against the petitioners is that they along with other accused persons had formed unlawful assembly and in furtherance of the common object they have abused and assaulted the informant and his father, due to which they are said to have sustained injuries.

7. Considering all these aspects of the matter, it cannot be ruled out that the petitioners have been implicated by way of counter blast earlier case instituted by the petitioners against the informant and also taking note of the fact that the petitioners have no criminal antecedent, I am inclined to grant



privilege of anticipatory bail to all the petitioners.

8. Let all the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged 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 the learned Chief Judicial Magistrate, Gaya, in connection with Fatehpur P.S. Case No. 542 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioners shall co-operate in the investigation/ trial.

(ii) the learned Court below would, however, verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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