

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3054 of 2026

Arising Out of PS. Case No.-237 Year-2023 Thana- BAIRIYA District- West Champaran

1. Chandrakishore Chaudhary S/O- Amerika Chaudhary R/V- Bairiya Ps- Bairiya Dist- West Champaran
2. Shashi Kumar S/O- Lalan Chaudhary R/V- Bairiya Ps- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
	:	Ms. Kumari Akanksha Rai, Advocate
For the Opposite Party/s	:	Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-01-2026 Heard Ms. Kumari Akanksha Rai, learned counsel

for the petitioners and Mr. Shakir Ahmad, learned A.P.P. for the

State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 279, 337,
338, 325, 307, 504 and 34 of the Indian Penal Code.

3. The allegation in the First Information report is
that while the informant was going along with his brother on
motorcycle and stopped for a nature's call, another motorcycle
with accused persons riding over the same collided with the
informant's motorcycle and with regard to such incident of
accident both parties indulged in abuses and assault and the



accused assaulted the informant's brother with iron rod causing injury.

4. Learned counsel for the petitioner submits that from bare perusal of the First Information Report it would be evident that there has been no intention to cause any injury to the informant and rather the incident happened at the spur of the moment with regard to accident having taken place between the two motorcycles. Both the parties are stranger to each other, as such, there can be no motive to cause any serious injury. Moreover, there is case and counter case and the present case lodged by the informant has been lodged after inordinate delay of one month for which no explanation has been tendered. Injuries suffered by the informant have been indicated in the bail rejection order but the nature of the injury has not been stated, however it is submitted that the injury received by the petitioner has been annexed as Annexure-P/2 which shows that while one injury on the side of forehead is simple in nature but the injury no.2 over nose has been grievous in nature causing fracture in nasal septum.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.



6. Taking into consideration the facts and circumstances and considering the factum of delay in the F.I.R., coupled with the fact that the dispute took place on account of an accident between the parties and there was no intention of the petitioner of causing any serious injury, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bairiya P.S. Case No. 237 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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