

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49960 of 2024

Arising Out of PS. Case No.-626 Year-2023 Thana- RAJAOLI District- Nawada

1. Rahul Chaudhary Son of Jamuna Chaudhary @ Yamuna Chaudhary Resident of Vill- Shekhbagi, P.S.- Fatehpur, District- Gaya.
2. Bhola Chaudhary @ Rajeev Chaudhary Son of Arjun Chaudhary Resident of Vill- Madan Bigha, P.S.- Chakand, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners apprehend their arrest in connection with Rajauli P.S. case No. 626 of 2023 instituted for the offences under Sections 302, 207, 34 of the Indian Penal Code.

3. It is suspected by the informant that all the FIR named accused persons including these petitioners have killed his son.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. The names of the petitioners have been transpired only on the basis of suspicion due to the fact that prior to the alleged



occurrence, a dispute/scuffle had already taken place between the informant and the co-accused Pramod Chaudhary and since petitioner no. 1 is full brother whereas petitioner no.2 is the relative of Pramod Chaudhary, for the same reason the names of these petitioners have come into light in this case. Learned counsel further submitted that informant is not the eye-witness to the occurrence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners and submitted that there is ample evidence against the petitioners that they along with other co-accused persons have committed the murder of the son of the informant, therefore, learned APP urges that the petitioners may not be released on bail.

6. Having considered the aforesaid facts and circumstances of the case and the material placed on record, now that this stage, this Court is not inclined to grant bail to the petitioners taking into account the nature and gravity of offence.

7. Prayer of the petitioners for grant of bail is, hereby, rejected. However, liberty is given to the petitioners to surrender before the learned Court below and, thereafter, seek regular bail



before learned Trial Court. If any such application is filed, learned trial Court shall consider and dispose of the same on its own merit, without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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