

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7099 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- FESHAR District- Aurangabad

1. Sugandha Devi Wife of Munna Chaudhary Resident of Ward No.14, Banahi, P.S. - Feshar, District – Aurangabad
2. Munna Chaudhary Son of Narayan Chaudhary @ Ram Narayan Chaudhary Resident of Ward No.14, Banahi, P.S. - Feshar, District – Aurangabad
3. Tunna Chaudhary Son of Narayan Chaudhary @ Ram Narayan Chaudhary Resident of Ward No.14, Banahi, P.S. - Feshar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sri Krishna Ranjan, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 28-07-2025 Heard learned counsel for the petitioners and learned
APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Feshar P.S. Case No. 130 of 2024 instituted for the offences under Sections 103, 238 of the Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

3. Prosecution story, in short, is that the informant has alleged that his son Kameshwar Chaudhary was found murdered



in a field with injuries caused by sharp weapon. It is further alleged that one Mahendra Yadav, to whom the deceased had given loan, had threatened the deceased two days prior to the incident, is suspected to be involved in the incident.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Petitioners are not named in the F.I.R. The name of the petitioners transpired in this case on the basis of confessional statement of the co-accused Chandan Kumar and Sanjay Chaudhary. Learned counsel further submitted that there is land dispute between the parties. No specific overt act is alleged against these petitioners. Learned counsel further submitted that except suspicion, there is no material against the petitioners. He further contended that even if the confessional statement is considered to be true, there is no specific against petitioner no.1, namely, Sugandha Devi who has been implicated merely because she happens to be the wife of Munna Chaudhary, petitioner no. 2 herein. It has been submitted on behalf of the petitioners that the petitioners are in custody since 13.11.2024 and have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned



APP further submitted that as per material available in the case diary, the accused persons including the petitioners have confessed their guilt and, therefore, the involvement of the petitioners in the commission of murder of the deceased cannot be ruled out. Learned APP further submitted that during investigation, it has also cropped up that the deceased was having forceful illicit relations with the petitioner no. 1, namely, Sugandha Devi.

6. Considering the aforesaid facts and circumstances of the case and the material available in the case diary, it appears that petitioner no. 1, namely, Sugandha Devi, who is lady, has no direct involvement in the commission of murder of the deceased the period of custody undergone by her, this Court is inclined to grant bail to her, i.e. petitioner no. 1, namely, Sugandha Devi.

7. So far as petitioner nos. 2 and 3 are concerned, there is direct involvement of them in the commission of brutal murder of the deceased and, therefore, this Court is not inclined to grant to the petitioner nos. 2 and 3.

8. Accordingly, the prayer for grant of bail to the petitioner nos. 2 and 3 is **rejected**.

9. Let the *petitioner no.1, namely Sugandha Devi* be



released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Feshar P.S. Case No. 130 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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