

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11857 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- HILSA District- Nalanda

Sudhir Chaudhary S/O Late Vijay Chaudhary R/O Village- Alavalpur/
Alvalpur (Atvalpur), P.S.- Daniyawan, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Diwakar, Advocate. Mr. Sudha Ranjan, Advocate. Mr. Deepak Kumar, Advocate. Mr. Sonu Kumar Yadav, Advocate.
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Hilsa P.S. Case No. 238 of 2024 dated 09.04.2024, registered for the offences punishable under Sections 302, 120B read with Section 34 of the Indian Penal Code.

3. As per the FIR, lodged by the brother of the deceased, the dead body of his brother was found on road near the Rice Mill at village Yarpur. It is also stated by the informant in his written report that the deceased brother has illicit relationship with one Preeti Kumari, wife of Pappu Chaudhary.



The illicit relationship was being opposed by the husband of Preeti Kumari as well as her relatives from her parents' side.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the informant is not the eye-witness of the alleged occurrence and he came to know about the death of his brother only when her mother was informed about the incident. He further submits that the petitioner is not the family member of the cousin of the informant Pappu Chaudhary with whom wife of the deceased was allegedly having illicit relationship.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Hilsa (Nalanda), in connection with Hilsa P.S. Case No. 238 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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