

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17417 of 2025

Arising Out of PS. Case No.-416 Year-2016 Thana- BIRAUL District- Darbhanga

Mantun Chaudhary @ Phuskar Chaudhary @ Puskar Chaudhary @ Mantun
Choudhary Son of Anand Chaudhary @ Late Fanad Chaudhary @ Late Fanan
Choudhary Resident of Village- Pokhram, P.S.- Biraul, Distt.- Darbhanga
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Choudhary, Sr. Adv. Mr. Sameer Ranjan, Adv.
For the State	:	Mr. Prem Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 341, 323, 448, 380, 307, 427, 504, 506 of the Indian Penal Code and later on Section 302 of the IPC has been added.

3. Petitioner along with other accused persons are said to have assaulted the informant and her brother.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that FIR was lodged on 10.12.2016, whereas the deceased has died on 10.02.2017. From perusal of the injury report of Daho Giri, it appears that he sustained only simple injury, therefore, it is not possible that the



deceased died due to injury which he sustained two months ago, which creates a reasonable doubt about the whole prosecution case. He submits that the charge has been framed against the petitioner. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 14.12.2020 passed in Cr. Misc. No. 27843 of 2020. He further submits that petitioner has four criminal antecedents as stated in para-3 of the bail application and he is languishing in judicial custody since 18.03.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Biraul P.S. Case No. 416 of 2016, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner will be well represented on each



and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(V) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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