

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15519 of 2025

Arising Out of PS. Case No.-499 Year-2024 Thana- JHAJHA District- Jamui

Sanjay Choudhary @ Sanjay Choudhari S/o- Shankar Choudhary Village-
Dighi Ps- Laxmipur Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 23689 of 2025

Arising Out of PS. Case No.-499 Year-2024 Thana- JHAJHA District- Jamui

Shrawan Choudhary S/o- Shri Kashi Choudhary Resident of village- Dighi
PS- Laxmipur District-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 15519 of 2025)
For the Petitioner/s : Mr.Hafiz Shahbaz Arif, Adv.
Mr. Abdul Khan, Adv.
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 23689 of 2025)
For the Petitioner/s : Mr. Niranjan Parihar, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner as well as the
counsel appearing for the respondent-State.

2. Since, both the bail applications has been preferred by
the petitioners for grant of their regular bail who have been arrested
in connection with Jhajha P.S. Case No. 499 of 2024 for the alleged
offences punishable under Section 103(1), 238 and 3(5) of the



Bharatiya Nyaya Sanhita, both the petitions are being decided by this common order.

3. According to the case of prosecution, the name of the deceased is Tuntun Kumar Singh, according to the written complaint made by Usha Devi i.e. mother of the deceased on 01.11.2024 at 08:00 P.M on being called by co-accused Arti Devi, the deceased Tuntun Kumar Singh went to her house and thereafter he did not returned. Subsequently, on 03.11.2024 dead body of Tuntun Kumar Singh was lying at Village Gudiara Bahiyar. On the basis of the information given by Usha Devi offences has been registered against the named accused persons. During the course of investigation, the present applicant was arrested on 05.11.2024 and since, then he is in custody.

4. It is submitted by the counsel for the petitioners that the petitioners herein are innocent and are falsely implicated in this case. He further submits that in the written complaint name of the petitioners herein are not mentioned. There is no any eye-witness in this case. Both the petitioners have been implicated in this case only on the basis of the statement made by one Meera Devi which is available in para 21 of the case diary. But from perusal of the statement of Meera Devi, it appears that she is a hearsay witness therefore, her statement is not reliable. Counsel for the petitioner further submits that para 25 of the case diary also shows that the informant of the police made his statement mentioning that on



01.11.2024 he saw the deceased along with the present applicants in the e-rickshaw apart from that there is no material available on record to implicate the present applicants in the alleged crime in question. The petitioners namely Sanjay Choudhary and Shrawan Choudhary are in custody since 05.11.2024 and 03.11.2024 respectively. The charge-sheet has been filed and trial will take time. Therefore, it is prayed that on these grounds the petitioners may be granted benefit of bail.

5. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

6. Considering the submission made by the counsels and particularly considering the materials available on record, I am of the view that in this case the present applicants should be granted the benefit of bail. Accordingly, the petitions are allowed. The petitioners are directed to be released on bail in connection with Jhajha P.S. Case No. 499 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties, to the like amount each to the satisfaction of the learned C.J.M, Jamui.

(Arvind Singh Chandel , J)

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