

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28039 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- BARIYARPUR District- Munger

1. Mira Devi W/o Jairam Choudhary R/o Village- Fulkiya, P.S.- Bariarpur, District- Munger
2. Jairam Choudhary @ Jayram Choudhary S/o Late Ashwani Choudhary R/o Village- Fulkiya, P.S.- Bariarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Saurabh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and
learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Bariarpur P.S. Case No. 202/2024 for the offences punishable under Sections 103(1), 3(5) of the BNS.

3. The informant has alleged that on 24.02.2024, all the accused persons including the petitioners brutally assaulted his uncle and his wife with *lathi* and *danda*. In the result, both of them sustained injury and during the course of treatment, the uncle of the informant died on 09.09.2024.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case due to enmity and dirty village politics. He further submits that for the same occurrence of 24.02.2024, the wife of the informant



namely, Bimla Devi, lodged an F.I.R. on 25.08.2024 vide Bariarpur P.S. Case No. 189/2024 in which there is no allegation that these petitioners have assaulted the uncle of the informant and after the death of the uncle of the informant on 09.09.2024, the present F.I.R. has been lodged with false allegations against the petitioners and others that they have assaulted the uncle of the informant. He further submits that from the perusal of the F.I.R. i.e., Bariarpur P.S. Case No. 189 of 2024, it is evident that that the deceased was neither involved nor present at the place of occurrence on 24.08.2024. Learned counsel for the petitioners further submits that postmortem report does not support the prosecution case and the doctor has found the cause of death due to Chronic Liver Disease (CLD). As a matter of fact, petitioner No. 1 (Mira Devi) and wife of the informant work together as Cook for Midday Meal in the Middle School in village Fulkiay, due to enmity she has been dragged in this case. Learned counsel further submits that there is case and counter case between the parties.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties and also the



fact that petitioner No. 1 is a women, in the event of arrest or surrender before the Court below within eight weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Munger in connection with Bariarpur P.S. Case No. 202/2024, subject to the conditions laid down in Section 482 of the BNSS.

(Prabhat Kumar Singh, J)

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