

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28439 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- JAGDISHPUR District- Bhojpur

1. Vijay Chaudhary, S/O Bhagenu Choudhary, R/O Village- Dawan, P.S- Jagdishpur, Distt.- Bhojpur.
2. Santosh Choudhary @ Santosh Kumar, S/O Vijay Choudhary, R/O Village- Narayanpur Sahar, P.S- Narayanpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Jagdishpur P.S. Case No. 374 of 2024 registered for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly the marriage of the daughter of the informant was solemnized with co-accused Ajay Choudhary in the year 2016. On 02.11.2024, the informant received information that all the accused persons, including the petitioners, have killed her daughter, whereupon the informant rushed to the matrimonial house to her daughter and found that her daughter was done to death and hanged from her Saree.



4. Learned Advocate for the petitioners contended that petitioner no.1 happens to be the brother-in-law, whereas petitioner no.2 is cousin brother-in-law of the deceased and they have no concern with the affairs of the husband and wife. The petitioners have separate accommodation and living at a different place, however, only on account of the fact that after getting information of the death of the deceased, all the family members were assembled there. When the informant came at the matrimonial house of the deceased, the name of all the accused persons have been implicated in this case. He further contended that admittedly the marriage was solemnized in the year 2016 and no motive has been assigned as to why the deceased was done to death. Good sense also prevailed upon the informant, as she filed a petition before the jurisdictional court that she does not want to pursue the matter. It is the case of suicide, on account of some quarrel between the husband and the wife, but with a view to wreak vengeance the name of all the family members have been implicated in this case. The petitioners bear fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on



behalf of the parties and considering the omnibus nature of allegation and the fact the informant is not an eye witness to the alleged occurrence, coupled with the relationship of the petitioners with the deceased, as also the fair antecedent of the petitioners, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 374 of 2024, subject to the condition as laid down under 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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