

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34978 of 2025

Arising Out of PS. Case No.-595 Year-2023 Thana- BIRAUL District- Darbhanga

RAHUL KUMAR CHAUDHARY Son of Lal Bahadur Choudhary Resident
of village - Chhoti Manopur, P.S.- Hayaghat, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Daayrani Devi, Wife of Nunu Prasad Chaudhary Resident of Village-
Jagdishpur, Panchayat- Kahua, P.S. - Biroul, Distt.- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 05-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Biraul P.S. Case No. 595 of 2023 dated 13.12.2023 registered
for the offences punishable under Sections 366, 366A read
with Section 34 of the I.P.C.

3. As per the prosecution case, the informant's elder
daughter was married to the petitioner Rahul Kumar
Chaudhary as per Hindu rites and rituals and they were
blessed with three children. The informant's son-in-law and
his family members committed murder of her daughter due to
non-fulfilment of demand of dowry and in this connection



Hayaghat P.S. Case No. 95 of 2023 was lodged. It has further been alleged that all the three children of her daughter (deceased) were living in her house. On 18.12.2023, when they went to harvest paddy crops in the field, in the meantime, 10 persons, named in the F.I.R., came to her house and assaulted the children of the informant's daughter and dragged them into the car and they also took away the jewellery of both daughters, golden ear-ring and a box containing clothes worth of Rs. 7,00,000/- with them. It is further alleged that the elder daughter-in-law, Puja Kumari, wanted to stop them but they threatened to stay on the point of gun and they kidnapped all the four children. Thereafter, Puja Kumari informed the informant and therefore, some villagers tried to find out them, but they were not found. Later on, when they called on the mobile number 9508589907 of the accused person then they threatened that their father Lal Bahadur Chaudhary is in jail in connection with Hayaghat P.S. Case No. 95 of 2023, they should compromise the case otherwise all four children would be killed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The informant is not an eye witness to the alleged



offence rather the elder daughter-in-law, Puja Kumari, of the informant has informed her about the incident committed by the accused persons. It is further submitted that all the three children are living with their grand-father and grand-mother. The victim has not raised any alarm while she was being taken to Odisha by the petitioner. There is love affair between the petitioner and the victim, Kumkum Kumari. The victim has already solemnized marriage with the petitioner. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 27.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (POCSO Act), Darbhanga in connection with Biraul P.S. Case No. 595 of 2023, with the condition/s:-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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