

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34870 of 2025

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

Rahul Choudhary @ Rahul Kumar S/o- Jairam Choudhary @ Jayram Choudhary
Village-Fulkiya PS-Bariarpur, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State .

2. The petitioner apprehends 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 alleged that on 24.02.2024, all the
accused persons including this petitioner 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 petitioner submits that the
has falsely been implicated in this case due to enmity and dirty
village politics. He further submits that for the same date of
occurrence i. e., 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 petitioner is named and there is no allegation that this petitioner 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 allegation against this petitioner 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 petitioner was neither involved nor present at the place of occurrence on 24.08.2024. Learned counsel for the petitioner 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). Learned counsel further submits that there is case and counter case between the parties. Similarly situated co-accused persons have already granted bail by this Court vide order dated 07.05.2025 in Cr. Misc. No. 28039 of 2025 .

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, in the event of arrest or surrender before the Court below within eight weeks from today, the petitioner be enlarged on bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) 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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