

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35577 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- Chhaudahi District- Begusarai

1.

Gopal Choudhary S/O Late Jagdish Choudhary Resident of Sawant, Ward No.12, P.S. - Chhaurahi, District - Begusarai
2.

Sunita Devi W/O Gopal Choudhary Resident of Sawant, Ward No.12, P.S. - Chhaurahi, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Chhaurahi P.S. Case No. 30 of 2024 registered for the offences punishable under Sections 341, 323, 302, 120-B, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that on 27.04.2024, at around 12:30 AM, while he was sleeping at his home, all the accused persons named in the F.I.R., being armed with various weapons, came to his house and started abusing him and his son, Gautam Kumar.



Thereafter, Ritesh Choudhary broke the lock of the door and entered the room. It is further alleged that Durgesh Choudhary along with other co-accused persons caught hold Gautam Kumar and Bablu Choudhary slit his neck.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to malicious motive and local dirty politics. According to the prosecution case, on the alleged date of occurrence all accused persons came at the house of informant and they caught leg and hand of informant's son and co-accused slit his throat and subsequently he died while taking to Begusrai for treatment. It appears from the perusal of F.I.R. itself, that except the co-accused Bablu Choudhary, there is general and omnibus allegation against other accused persons including the petitioners that they had caught the hands and legs of deceased. Petitioners were neither caught leg/hand nor they were present on the alleged place of occurrence on the alleged time but they have falsely been implicated in this case because they are the parents/guardian of Bablu Choudhary.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. As per F.I.R. there is general and omnibus



allegation against the petitioner no. 1 namely, Gopal Choudhary that he pushed informant down and Nepal Choudhary and Ritesh Choudhary broken the lock of door and Durgesh Choudhary and above three accused persons including the petitioner caught hold his son and co-accused Bablu Choudhary slit the neck of the informant's son. The aforesaid allegation against petitioner Gopal Choudhary is supported by the witnesses cited in paragraphs 5 and 10 of the case diary, where statements have been recorded of the informant and his wife, both of them are said to have been present at the crime scene on the night of the alleged occurrence. Both the petitioners are in custody since 04.01.2025 having clean antecedent.

7. Keeping in view the aforesaid facts and considering the direct involvement of petitioner no. 1 namely, Gopal Choudhary, I am not persuaded to enlarge him on bail. Accordingly, the prayer for bail of petitioner no. 1 namely, Gopal Choudhary stands **rejected**.

8. So far as petitioner No. 2, namely Sunita Devi, is concerned, the allegations against her are general and omnibus in nature, merely stating that she was a member of the mob.



6. Keeping in view the general and omnibus allegation and considering the period under custody, let the petitioner no. 2 namely, Sunita Devi, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Manjhaul, Begusrai in connection with Chhaurahi P.S. Case No. 30 of 2024 subject to the condition that one of the bailor must be her family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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