

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42085 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- AKBARPUR District- Nawada

Binod Chaudhary S/O Sarju Chaudhary R/O Vill.- Akbarpur, P.S.- Akbarpur,
Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv
		Mr. Birendra Kumar, Adv
For the Opposite Party/s :		Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 531/2024 arising out of Akbarpur P.S. Case No. 210 of 2024 dated 13.06.2024 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, on 12.06.2024, the petitioner and the co-accused persons are alleged to have assaulted the informant's husband and fled away. When the informant went to police station for lodging the FIR, she came to know that the accused persons has already filed the case against her and her family members. On 13.06.2024, the health



of the informant's husband deteriorated and started vomiting blood. While the injured were being taken to hospital, on the way he died. It is further alleged that the petitioner Binod Chaudhari and his two brothers assaulted on the chest of the informant's husband and due to that the died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Both the parties are co-villagers. Learned counsel has submitted that the informant herself admitted that the alleged occurrence took place due to children and the allegation of assaulting is against the eight persons including the petitioner and there is no specific allegation of assault rather the informant specifically alleged against the petitioner and his two brothers have assaulted her husband by mounting on his chest. Learned counsel has submitted that the charge has been framed on 23.05.2025. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.06.2024

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is direct allegation against the petitioner of assaulting the deceased on his chest due to that his two bones of ribs were



broken. As per the postmortem report, two ribs were broken, and blood clotting was found inside his chest and abdominal cavity due to that he died. Earlier the regular bail of the petitioner was rejected by this court vide order dated 16.12.2024 passed in Cr. Misc. No. 65313/2024.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody as well as the allegation being general and omnibus against the petitioner, 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 Court concerned, Nawada in connection with Akbarpur P.S. Case No. 210 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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