

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59492 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Ankar Chaudhary @ Raj Kumar, aged about 27 years (Male), Son of Late Dashrath Chaudhary, R/o Village - Kajichak, P.S.- Maheshkunt, District - Khagariya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. A.K. Thakur, Advocate, Mrs. Vaishnavi Singh,
Advocate and Mr. Ritwik Thakur, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

6 15-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Maheshkhunt P.S. Case No. 265 of 2023 dated 14.12.2023 registered for the offences punishable under Sections 341, 323, 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, on 13.12.2023 at about 9.00 P.M., the husband of the informant went to attend a wedding ceremony on invitation of Rajendra Chaudhary where her husband demanded dues amount from the co-accused Ajay Chaudhary, he alongwith the other co-accused persons including Ankar Chaudhary (petitioner) brutally assaulted her husband



with rod, lathi and danda in presence of Amit Kumar, Niroj Yadav and Pankaj Yadav, due to which, her husband died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner has no concern with the co-accused Ajay Chaudhary with whom the deceased had dispute with regard to money. It is further submitted that Rajendra Chaudhary who had invited the deceased in the wedding ceremony of his daughter, is the cousin maternal uncle of the petitioner and in the wedding ceremony of his daughter i.e., the maternal cousin sister of the petitioner, the petitioner was discharging his role. It is further submitted that the alleged occurrence took place on 13.12.2023 at 9.00 P.M., where many people including the associates of the deceased were present but the F.I.R. has been lodged on 14.12.2023 at 8.10 P.M. and the delay in lodging the F.I.R., no explanation has been given by the prosecution. Learned counsel for the petitioner refers paragraph nos. 2, 3, 4, 12 and 19 of the case diary in which it has been mentioned that the deceased had come to attend the wedding ceremony of the daughter of Rajendra Chaudhary where scuffle took place between the deceased and the co-accused Ajay



Chaudhary, Mithu Kumar @ Aman Kumar and others with regard to money dispute and during the course of scuffle, the deceased received severe injuries and due to which, he was brought to Referral Hospital, Gogari and the I.O. asked the relatives of the deceased to give written application but they assured to give written application later on because they were going to Referral Hospital, Gogari for treatment of the injured and later on 14.12.2023 during the course of treatment, the deceased died and thereafter the wife of the deceased had lodged the F.I.R. The petitioner has five criminal antecedents, out of which, one case is related to similar nature of offence and in all the cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.04.2024.

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 A.C.J.M.-IV, Khagaria in connection with Maheshkhunt P.S. Case No. 265 of 2023 with further condition:-



(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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