

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73375 of 2024

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

Ajay Chaudhary Son of Kusho @ Kushaeshwar Chaudhary @ Kusho
Choudhary R/Vill-Kajichak Ward No-2, P.S.-MaheshKhunt, Distt-Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Mishra
For the Informant	:	Mr. Chandan Kumar Kashyap
For the Opposite Party/s	:	Mr.Rajendra Singh

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

ORAL ORDER

6 19-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner is permitted to
file supplementary affidavit in course of the day and the same is
kept on record.

3. 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.

4. 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 petitioner Ajay Chaudhary, he alongwith the other co-accused persons including Ankar Chaudhary 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.

5. 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. 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 accused Ajay Chaudhary (petitioner), 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. As per the supplementary affidavit, the wife of the deceased (PW-1) in her examination in chief has deposed that she does not know who killed her husband. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 16.03.2024. Similarly situated co-accused has already been granted bail by this court vide order dated 15.04.2025 passed in Cr. Misc. No. 59492 of 2024.

6. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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 court concerned, 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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