

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88493 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- PATEPUR District- Vaishali

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1. Rajendra Choudhary @ Rajendra Chaudhari S/o Late Ramdhari Chaudhary
R/o vill - Simarwara Durgapur, P.S. - Patepur, Distt.- Vaishali
 2. Mintu Chaudhary @ Mintu Kumar S/o Rajendra Chaudhary @ Rajendra
Chaudhari R/o vill - Simarwara Durgapur, P.S.- Patepur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Adv

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 07-05-2025 Heard learned Counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Patepur P.S. Case No. 165 of 2024 registered for the offences punishable u/s 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, the husband of the informant, namely, Jageshwar Choudhari, had come to the village Simarwara Durgapur from Siwan and in the next morning i.e. on 08.06.2024, the dead body of her husband was found by the villagers in the field.

4. Learned counsel for the petitioners has submitted



that the petitioners have falsely been implicated in this case and there is general and omnibus allegations against six named accused persons. It is further submitted that admittedly the informant is not an eye-witness of the alleged incident and during the investigation no evidence has come to connect the petitioner with the said incident. It is next submitted that from perusal of the post-mortem report which is brought by way of Annexure-3, it would be evident that the external injuries have been stated to be on the right knee joint and the cause of death has been opined as shock due to Myocardial Infarction. It is next submitted that similarly situated co-accused persons has already been granted bail by a co-ordinate Bench of this Court vide order date 09.04.2025 passed in Cr. Misc. No. 84963 of 2024. It is lastly submitted that the petitioner no. 1 has two criminal antecedents whereas the petitioner no. 2 has one criminal antecedent and are in custody since 14.06.2024.

6. Learned APP for the state has vehemently opposed the prayer for bail and has stated that the petitioners are involved in the killing of the informant's husband.

7. Considering the aforesaid submissions of the parties and taking into account the post-mortem report which clearly states that the death was caused due to cardiac arrest and



also taking into fact that the co-accused, namely, Shardha Devi, has already been granted bail by the co-ordinate Bench of this Court coupled with the fact that the petitioners are in custody since 14.06.2024, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali. in connection with Patepur P.S. Case No. 165 of 2024.

8. The application stands allowed.

(Sourendra Pandey, J)

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