

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.603 of 2025

Arising Out of PS. Case No.-595 Year-2023 Thana- BIRAUL District- Darbhanga

Maksudan Chaudhary, aged about 47 years (Male), Son of Ramchandra Chaudhary, Resident of Village- Chhotimaanopur, P.S. - Hayaghat, District – Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar.
2. Smt. Daayrani Devi, Wife of Nunu Prasad Chaudhary, Resident of Village - Jagdishpur, P.S. - Biraul, District – Darbhanga.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 14-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Biraul P.S. Case No. 595 of 2023 dated 13.12.2023 registered for the offences punishable under Sections 366, 366A read with Section 34 of the I.P.C.

3. As per the prosecution case, the informant's elder daughter was married to the co-accused Rahul Kumar Chaudhary as per Hindu rites and rituals and they were blessed with three children. The informant's son-in-law and his family members committed murder of her daughter due to non-fulfilment of demand of dowry and in this connection Hayaghat



P.S. Case No. 95 of 2023 was lodged. It has further been alleged that all the three children of her daughter (deceased) were living in her house. On 18.12.2023, when they went to harvest paddy crops in the field, in the meantime, 10 persons, named in the F.I.R., came to her house and assaulted the children of the informant's daughter and dragged them into the car and they also took away the jewellery of both daughters, golden ear-ring and a box containing clothes worth of Rs. 7,00,000/- with them. It is further alleged that the elder daughter-in-law, Puja Kumari, wanted to stop them but they threatened to stay on the point of gun and they kidnapped all the four children. Thereafter, Puja Kumari informed the informant and therefore, some villagers tried to find out them, but they were not found. Later on, when they called on the mobile number 9508589907 of the accused person then they threatened that their father Lal Bahadur Chaudhary is in jail in connection with Hayaghat P.S. Case No. 95 of 2023, they should compromise the case otherwise all four children would be killed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the specific allegation is against the co-accused Rahul Kumar Chaudhary who is the son-in-law of



the informant and the petitioner is the agnate/next door neighbour of the said co-accused Rahul Kumar Chaudhary and due to this reason the petitioner has falsley been implicated in the present case. He has no connection with the said co-accused Rahul Kumar Chaudhary. The informant is not an eye witness to the alleged offence rather the elder daughter-in-law, Puja Kumari, of the informant has informed her about the incident committed by the accused persons. It is further submitted that all the three children are living with their grand-father and grand-mother. It is further submitted that the minor victim girl of the informant has been recovered and her statement under Section 164 of the Cr.P.C., has been recorded in which she has made direct allegation against her brother-in-law Rahul Kumar Chaudhary. It is submitted that the other co-accused persons, namely, Ram Pukar Sahani and Rohit Kumar Sahni have already been granted bail by a Bench of this Court vide Cr. Misc. No. 67473 of 2024 under order dated 17.12.2024. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 24.08.2024.

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 Exclusive Special Judge, (POCSO Act), Darbhanga in connection with Biraul P.S. Case No. 595 of 2023,

7. The application stands allowed.

(Chandra Prakash Singh, J)

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