

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9641 of 2026

Arising Out of PS. Case No.-130 Year-2025 Thana- BISHANPUR District- Darbhanga

Navin Kumar Choudhary S/O Anand Bilash Choudhary R/O Village-
Panchobh, P.S- Bishanpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9889 of 2026

Arising Out of PS. Case No.-130 Year-2025 Thana- BISHANPUR District- Darbhanga

Dilkhush Choudhary @ Rishi Kumar Choudhary Son of Bhola Choudhary
Resident of Village - Panchobh, Police Station - Bishanpur, District -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9641 of 2026)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 9889 of 2026)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-05-2026 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection

with Bishanpur (Bishunpur Chowk) P.S. Case No. 130 of 2025

dated 08.10.2025 registered for the offences punishable under

Sections 103(1) and 61(2) of the B.N.S.

3. The allegations against the petitioners are that he

along with the other accused persons hatched a conspiracy and



had killed the son of the informant who was found dead.

4. The learned counsel for the petitioners submits that petitioners have falsely been implicated in this case out of personal grudge and in fact, the son of the informant had died after consuming poison. It has further been submitted that the informant was himself aggrieved by the fact that his son was selling the land and on account of which he was not happy with the deeds of his son and this fact has been corroborated from the statement of one Kamlesh Jha, who was the person, who had reported the informant about the death of his son and during the course of investigation, he has pointed out that the son of the informant had sold many lands and was occasionally seen drunk. It has further been submitted that from perusal of the F.S.L. report, it would be evident that the son of informant had consumed poison as ingredients of 'celphos' was found in the viscera of deceased. It has further been submitted that the petitioner Navin Kumar Choudhary stood as witness to one of the sale deeds and he was neither the beneficiary of the such sale deed and therefore, he was not concerned with the said incident. Learned counsel for the petitioners has drawn the attention of this court towards an order passed by a Coordinate Bench of this Court where similarly situated accused namely,



Vikash Kumar Choudhary @ Vikash Choudhary was granted bail vide order dated 07.05.2026 passed in Cr. Misc. No. 8593/2026. Learned counsel for the petitioner submits that as far as the petitioner namely, Dilkhush Choudhary is concerned, even he has no role to play in the said incident and he happens to be a distant relative of Vikash Kumar Chaudhary. It has lastly been submitted that the petitioners have clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioners above named, are directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bonds of Rs. 10,000/-(Rupees Ten Thousand)each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bishanpur (Bishunpur Chowk) P.S. Case No. 130 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-



(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedents, the trial court shall take necessary steps for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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