

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27805 of 2026

Arising Out of PS. Case No.-176 Year-2025 Thana- MORKAHI District- Khagaria

1. Dhutar Chaudhary @ Ghutar Chaudhary Son of Late Sulendra Chaudhary Resident of Vill -Jheema Ps -Morkahi Dist- Khagaria
2. Chanchal Chaudhary Son of Late Sulendra Chaudhary Resident of Vill -Jheema Ps -Morkahi Dist- Khagaria
3. Varun Chaudhary Son of Late Rajo Chaudhary Resident of Vill -Jheema Ps -Morkahi Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Singh No. I, Advocate
For the Opposite Party/s :	Mr. Nitya Nand Tiwary, APP
For the Informant :	Ms. Seema Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2026 Heard Mr. Ajay Kumar Singh No. I, learned counsel for the petitioners, Ms. Seema Kumari, learned counsel for the informant and Mr. Nitya Nand Tiwary, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 14.12.2025 in connection with Morkahi P.S. Case No. 176 of 2025, F.I.R. dated 05.12.2025 for the offences punishable under Sections 191(2), 191(3), 329(3), 303(2), 308(5), 126(2), 351(2) and 351(3) of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, these petitioners along with other accused persons have demanded Rs.



20,000/bigha as extortion money from the informant and threatened him if he fails to pay the same. It is further alleged that the accused persons open fired upon the family members of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R it appears that petitioners and other accused persons have demanded Rs. 20,000 per *bigha* as extortion money from the informant. He further submits that in fact, the land in question belongs to the co-accused Dharamlal Chaudhary and due to this land dispute the present occurrence has taken place. He further submits that the said Dharamlal along with other accused persons including these petitioners have gone to the said land and due to this very reason the informant has lodged the present false case against them. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 14.12.2025.

5. Learned Additional Public Prosecutor as well as learned counsel for the informant have vehemently opposed the



prayer for bail of the petitioners on the ground that petitioner no. 1 carries five criminal antecedents, petitioner no. 2 carries three criminal antecedents and petitioner no. 3 carries three criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation in the FIR and the fact that the informant is not the land owner as per the Annexure-2 of the bail petition, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No. 176 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond 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.

(Rajesh Kumar Verma, J)

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