

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25046 of 2026

Arising Out of PS. Case No.-238 Year-2025 Thana- MAGADH UNIVERSITY District- Gaya

Bindheshwari Choudhary @ Bindheswar Choudhary @ Bineshwar
Choudhary Son of Late Bipat Chodhary R/O Vill.- Pamiya Jindapur, P.S.-
Magadh University, District- Gaya Jee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhanveer Kumar, Adv. Mr. Dhananjay Kumar Gupta, Adv.
For the State	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Avinash, Adv. Md. Kamal Ashraf, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-07-2026 Heard learned Advocate for the petitioner; learned
APP for the State and learned Advocate for the informant.

2. The petitioner apprehends his arrest in connection with Magadh University P.S. Case No.238 of 2025 registered for the offences punishable under Sections 103(1), 238 and 3(5) of the BNS.

3. Allegedly, in the night of 19.10.2025, the informant's daughter had gone out to attend the call of nature but did not return. A search was conducted, however, in the following morning, one Bablu Baniya informed the informant over the phone that her daughter was sitting beside a temple. Soon thereafter, a video went viral showing that the victim had



allegedly committed suicide by hanging herself from a tree. Suspecting the involvement of the petitioner and certain others, the informant instituted the present case.

4. Learned Advocate for the petitioner submitted that a plain reading of the F.I.R. would demonstrate that the entire prosecution case is founded merely on suspicion, without any cogent material suggesting the petitioner's complicity in the alleged occurrence. It is further submitted that even if the allegations contained in the F.I.R. are accepted at their face value, it is evident that when Bablu Baniya informed the informant about the whereabouts of the victim, he did not disclose the presence of the petitioner or any of the co-accused near the place of occurrence. It is also contended that the post-mortem report indicates that the cause of death was hanging.

5. Learned Advocate further submitted that, during the course of investigation, it transpired that the deceased was in a one-sided love affair with one Rahul Kumar, who happens to be the nephew of the petitioner. It is argued that, since the petitioner and others had earlier attempted to persuade the victim's parents in that regard, the present case has been instituted with an oblique motive. The petitioner has no connection whatsoever with the alleged occurrence and is ready



to cooperate with the investigation as well as the proceedings of the Court.

6. On the other hand, learned Advocates appearing for the State as well as the informant vehemently opposed the prayer for bail and submitted that, during the course of investigation, the parents of the deceased categorically stated that the petitioner had earlier threatened to eliminate their daughter if she did not mend her ways.

7. Regard being had to the submissions advanced on behalf of the parties and considering the materials available on record, particularly the fact that the prosecution case is primarily based on suspicion and no witness has stated about the presence of the petitioner at or near the place of occurrence prior to the alleged incident as also the post-mortem report attributes the cause of death to hanging, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, District-Gaya Jee in connection with Magadh University P.S. Case No.238 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further



condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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