

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34373 of 2025

Arising Out of PS. Case No.-260 Year-2019 Thana- BIRAUL District- Darbhanga

Chandan Kumar Chaudhary @ Chandan Chaudhary @ Chandan Kumar
Choudhary S/O Dayanand Chaudhary R/O Vill- Pokhram, P.S.- Biraul,
District- Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Archana Devi W/O Chandan Choudhary R/O Vill - Pokhram, P.S.- Biraul,
Distt.- Darbhanga, Presently R/O Vill - Hansi Tole, Situahi, P.S.- Biraul,
Distt.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 19-02-2026 Heard the learned counsel for the petitioner and the
learned counsel for the State.

2. The petitioner apprehends his arrest in connection
with Biraul P.S. Case No. 260 of 2019 registered for the offence
under Sections 498(A)/34 of the Indian Penal Code and Section
 $\frac{3}{4}$ of the DP Act.

3. As per the prosecution case, the petitioner and
others are accused of assaulting and torturing the victim for
demand of dowry.

4. It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that there is general



and omnibus allegation against the petitioner and the informant of the case, Archana Devi had already died during the pendency of this case.

5. Learned counsel for the State has opposed the application of the petitioner.

6. Considering the submission of the parties and in light of the law laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in (2014) 8 SCC 273, this application of grant of anticipatory bail is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Biraul/concerned Court below in connection with Biraul P.S. Case No. 260 of 2019 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS and with further condition that:

(I). The petitioner is directed to pay a maintenance amount of Rs. 6000/- from the month of February 2026 to the son of the informant, Shivam Choudhary who is



under the guidance of his grandmother, Rajni Devi and the maintenance for the month of February 2026 shall be paid to him within ten days from today and thereafter the maintenance amount shall be paid to him every month before the 10th day of the month.

8. It is made clear that the order of maintenance passed by this Court shall be subject to the outcome of maintenance case of the Court of Principal Judge, Family Court concerned, if any.

9. Needless to state that, if the petitioner fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application, before the learned concerned Court below for cancellation of bail granted to the petitioner.

10. Let a copy of this order be communicated to the Principal District & Sessions Judge, Darbhanga through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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