

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65266 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- BAIRIYA District- West Champaran

Awadhesh Choudhary S/o Late Puran Choudhary R/o Village - Siswa Saraiya,
P.S - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Gupta, Advocate
For the State	:	Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 03-02-2026 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner is seeking regular bail in connection with Bairiya P.S. Case No. 385 of 2024, registered for the offences punishable under Sections 103(1), 238, 3(5) of the BNS.

3. As per allegation, the petitioner along with other co-accused persons demanded motorcycle as dowry from the informant's daughter and due to its non-fulfillment, they killed her and concealed her dead body.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the allegation of demand of motorcycle is false as this allegation has been made after 13



years of marriage that too, after birth of four children. It has further been submitted that the postmortem was not conducted so cause of death could not be ascertained. Learned counsel has further submitted that the deceased died due to cardiac arrest. The petitioner is in custody since 14.11.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner is addicted to liquor and he confessed that in drunken condition, he killed his wife.

6. The petitioner is in custody for more than a year and no witness has been examined till date.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 385 of 2024, subject to the following conditions that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

8. The petitioner shall physically appear before the



learned Court below on each and every date. In case of failure on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned Court below will be at liberty to cancel the bail bonds of the petitioner.

(Nawneet Kumar Pandey, J)

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