

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69172 of 2025

Arising Out of PS. Case No.-197 Year-2025 Thana- NOKHA District- Rohtas

Nandlal Chaudhary S/O Dwarika Chaudhary Resident of Vill.- Kuri Tola,
P.S.- Nokha(M), Dist.- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-02-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 103(1), 238 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is in custody since 23.01.2025 and the informant alleges that his daughter was married to Dadan Chaudhary about seven years back and, out of the wedlock, four children were born. Further, on 15.06.2025, at 06:00 a.m., his daughter called her mother and informed that her brother-in-law Nandlal Chaudhary (petitioner) and sister-in-law (Aradhana Devi) are assaulting her so that they do not have to give share in the property. Further, after sometimes, he received an



information that his daughter has been killed and, accordingly, reached the place of occurrence where her last rites were being performed, hence, the police was informed and the remaining portion of the dead body was sent for postmortem.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant being the brother of the husband of the deceased. It is further submitted that the marriage of the deceased with Dadan Chaudhary was performed seven years back and, out of the wedlock, four children were born, but, in these seven years, no case ever came to be instituted either by the deceased or the informant alleging that she was being tortured at the hands of the petitioner and his wife. It is next submitted that it absolutely does not stand to reason that if the victim on 15.06.2025 had informed the informant that she was being assaulted by the accused persons then why he did not come to her house immediately. It is also submitted that petitioner along with his wife are separate in mess and property from the deceased and her husband. It is further submitted that no useful purpose would have been served by killing the deceased. It is next submitted that though it is alleged that the dead body was being cremated and when the informant reached the cremation ground after informing the police the burnt dead body was taken out of the pyre for sending it for postmortem



but then it is submitted that if the dead body was being cremated, it could not have been cremated only with the aid of the petitioner, rather the male family members would have been involved including the husband but then husband of the deceased is not an accused in the instant case which casts an aspersion on the case of the prosecution.

5. Learned counsel appearing on behalf of the petitioner submits that the police investigate mechanically without applying their mind. It is further submitted that suitable direction be given to the Superintendent of Police, Rohat at Sasaram for investigating the case from all angles because implication in a criminal case is a serious issue as it has the impact of completely destroying the family and the case in hand gives a clear picture that no useful purpose would have been served by the petitioner and his wife by killing the deceased. It is, thus, submitted that if the petitioner had any issues relating to property then his competitor was his brother i.e. the husband of the deceased and not the deceased herself. It is next submitted that why the police did not investigate the matter from this angle that who all were present at the cremation ground when the body was being cremated, whether the husband along with other family members were present there or not.

6. The Court finds merit in the submissions made by the learned counsel appearing on behalf of the petitioner.



7. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for regular bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the case was investigated in a mechanical manner by the police and the husband of the deceased is not an accused in the case and the petitioner would not have gained anything by killing the deceased.

8. After hearing the learned counsel for the parties, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending in connection with Nokha P.S. Case No. 197 of 2025.

9. Let a copy of this order be sent to the Superintendent of Police, Rohat at Sasaram for his perusal and necessary action.

(Satyavrat Verma, J)

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