

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67296 of 2025

Arising Out of PS. Case No.-202 Year-2025 Thana- BAIRIYA District- West Champaran

1. Mahesh Chaudhary @ Mahesh Chaudhari Son of Feku Chaudhary @ Langat Chaudhary Resident of Village - Bagahi Ratanpur, Nimiya Tola, Ward No.- 07, P.S.- Bairiya, District - West Champaran.
2. Sharma Kumar @ Shrma Kumar Son of Mahesh Chaudhary Resident of Village - Bagahi Ratanpur, Nimiya Tola, Ward No.- 07, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
		Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s :		Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-02-2026 Heard Mr. Sanjeev Kumar, learned counsel for the petitioners and the State.

2. The petitioners are apprehending their arrest in connection with Bairiya P.S. Case No. 202 of 2025 for the offence under sections 103(1) and 3(5) of the BNS lodged on 29.05.2025 by the informant, America Chaudhari.

3. As per the prosecution story, the informant alleged that his son, Maharaj Kumar was working outside and was a friend of Parma Chaudhary son of the petitioner no. 1, Mahesh Chaudhary. There was a marriage in the family of Parma Chaudhary and his son was also attending it. There, some issues took place and the accused persons with common intention, assaulted the son causing his death. This led to the FIR.

4. Learned counsel for the petitioners submit that they



were attending the marriage, unfortunate incident took place and due to electrocution, the death took place, however, sensing an opportunity, the FIR. They are ready to cooperate in the investigation/trial and the last submission is that the petitioners do not have any criminal antecedent.

5. Earlier, the Coordinate Bench had called for the case diary which is now available and this Court has gone through the *postmortem* report which supports the petitioners' claim as the cause of death has been recorded as shock as a result of electrocution. This report has been provided by the FMT Department of Government Medical College, Bettiah.

6. Learned APP opposes the prayer submitting that allegation is against all the accused persons of assaulting informant's son which led to his death.

7. Allegation is there, the petitioners shall be facing the music, they have no criminal antecedent and an undertaking has been given that they shall be diligently appearing in trial, in that background and taking into account the cause of death also, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Bettiah, West Champaran/successor Court in connection with Bairiya P.S. Case No. 202 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

