

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81334 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- MUFFASIL District- Aurangabad

Vikash Chaudhary Son of Basant Choudhary R/o Village- Megh Raj Bigha
(Pavai), P.S.- Aurangabad (Muffasil), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Dharmendra Kumar Singh, learned
counsel for the petitioner and Mr. Ganesh Prasad Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.08.2025 in connection with Aurangabad (Muffasil) P.S. Case
No. 149 of 2025, F.I.R. dated 25.04.2025 for the offences
punishable under Sections 103(1) and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner have assaulted to the father of
the informant resulting into his death.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R it appears that the informant is not the eye witness of the alleged occurrence. As per the allegation, the informant has stated that Rakesh Choudhary and Vikas Choudhary have assaulted the informant's father and Vikas Choudhary assaulted on his chest but the postmortem report does not supports the allegation as alleged in the F.I.R. The postmortem report reveals the following injuries :-

(i) Lacerated wound left eyebrow 0.5"x0.5"

(ii) Lacerated wound over right side of frontal bone 2"

Length x.05" bone deep

(iii) Contusion over occipital 1.5"x0.5" approx (iv)

Abrasion wound on left elbow joint.

Cause of death- severe hemorrhagic shock, CR failure ultimately leading to death, due to trauma with hard, blunt object within 24 hours."

5. Learned counsel for the petitioner further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 19.08.2025.

6. Learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the allegation as alleged does not supported by the medical evidence, let the petitioner, above named, 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 CJM, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 149 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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