

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71680 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- RANIGANJ District- Araria

Chandan Yadav @ Chandan Kumar, S/o Krityanand Yadav, R/o Village-
Golha, P.S.- Bhargama, Distt- Araria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9981 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- RANIGANJ District- Araria

Arun Yadav @ Arun Kumar Yadav, Son of Sahendo Yadav, R/v- Golha, P.S.-
Bhargama, Dist- Araria Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71680 of 2022)

For the Petitioner/s : Mr.Shivnandan Bharti

For the Opposite Party/s : Mr.Ajay Kumar Jha

(In CRIMINAL MISCELLANEOUS No. 9981 of 2023)

For the Petitioner/s : Mr.Shivnandan Bharti

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in connection with
Raniganj P.S. Case No. 228 of 2022 instituted for the offence
under Sections 147, 148, 149 and 302 of the Indian Penal Code.

As per allegation in the FIR, the informant has alleged
that the several accused persons including the petitioners have
locked the son of the informant in a room and mercilessly
assaulted him inside the locked room by means of lathi, danda,
iron rod, wooden log and ultimately they killed him by



electrocuting him. After gathering of villagers, door was broken and it was found that Chhotu Kumar, son of the informant is no more and then the present FIR.

Learned counsel for the petitioners has submitted that petitioners have falsely been implicated in this case. In fact, deceased was caught red handed in objectionable condition with Aarti Kumari. No one is the eye witness of the alleged occurrence. Only after investigation, it shall come outside that how death of the informant's son has took place. Petitioners are not the resident of the village, where the alleged occurrence took place. During investigation, name of petitioner Arun Yadav has come in the present case only because he is a distant relative of family member of Aarti Kumari. Both the petitioners are languishing in judicial custody for more than six months.

The application for bail is opposed by learned APP for the State and submitted that the statement of the victim girl, namely Aarti Kumari was recorded u/s 164 Cr.P.C. wherein she has made direct allegation against her family members including these petitioners. She has stated that both the petitioners were present inside the room and along with other accused persons and with a view to kill him, they are mercilessly assaulting to her lover Chhotu Kumar. Specific allegation against the petitioner Chandan Kumar and co-accused Pawan Yadav, that he has electrocuted to



injured Chhotu Kumar resulting into his death.

Upon specific query that whether charge has been framed in this case or not, counsel fairly submits that still charge has not been framed.

Considering the facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners at present.

The bail applications stand rejected.

However, both the petitioners are granted liberty to renew their prayer for bail after 3 months of framing of charge and the trial court is directed to release them on bail thereafter.

(Sunil Kumar Panwar, J)

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