

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23306 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- BAHERI District- Darbhanga

1. Rohit Kumar Mahto son of Late Munilal Mahto Village- Jorja Ps- Baheri Dist- Darbhanga
2. Chanchal Devi @ Chanchala Devi wife of Kailash Yadav Village- Jorja Ps- Baheri Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Lalan Kumar

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

ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with Baheri P.S. Case No. 49 of 2023, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, Sachin Kumar Yadav @ Munna, son of the informant went out of his house in the night of 23.02.2023 but he did not return. His mobile no. 9110165224 was switched off. Even after hectic search, he remained traceless. On next day, at about 6 AM, the informant came to



know from the villagers that a throat slit dead-body was lying in *Marcharahi Gachhi*. He went there and saw the dead-body of his son Sachin Kumar @ Munna.

4. Learned counsel for the petitioner has submitted that the petitioners are innocent and have falsely been implicated. Except their confessional statement nothing was detected against the petitioners.

5. On the other hand, the learned Additional P.P has opposed the prayer for bail by submitting that in course of investigation it has been detected that the husband of petitioner no.2 was residing outside for the job and in absence of her husband, she developed relations with petitioner no.1. The deceased who was cousin of petitioner no. 2 had seen petitioner no. 1 and petitioner no. 2 in compromising state and he made a videograph and he used to blackmail petitioner no. 2.

6. Petitioner no. 2, in her statement, had furnished the vivid description of the entire occurrence and on her disclosure, the mobile set of the deceased was recovered from possession of petitioner no. 1. Petitioner nos. 1 and 2 both confessed their guilt of committing murder of the deceased. Their confessional statement is leading to recovery.

7. Considering the above-mentioned facts and



circumstances, in my view, the petitioners do not deserve the
privilege of bail. Accordingly, their prayer for bail is rejected.

(Nawneet Kumar Pandey, J)

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