

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26137 of 2024

Arising Out of PS. Case No.-650 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

1. Uma Mahto Son of Pashupati Mahto Resident of Village- Mangaidih, P.S.- Chapra Muffasil, Dist.- Saran (Bihar)
2. Nagendra Mahto Son of Pashupati Mahto Resident of Village- Mangaidih, P.S.- Chapra Muffasil, Dist.- Saran (Bihar)
3. Satyendra Mahto Son of Pashupati Mahto Resident of Village- Mangaidih, P.S.- Chapra Muffasil, Dist.- Saran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26666 of 2024

Arising Out of PS. Case No.-650 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Anil Chaudhary @ Anil Kumar S/o Ramjiwan Chaudhary Village Ajaybganj
Police Station Bhagwan Bazar District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26137 of 2024)

For the Petitioner/s : Mr.Harsh Anuj

For the Opposite Party/s : Mr.Pushpa Sinha

(In CRIMINAL MISCELLANEOUS No. 26666 of 2024)

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

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

CAV ORDER

7 23-09-2024

I have already heard the learned counsel for the
petitioners and learned APP for the State.

2. These are applications for regular bail on behalf
of the petitioners for the offences alleged under Sections 302/34



of the Indian Penal Code registered in connection with Chapra Muffasil P.S.Case No.650 of 2023.

3. As per allegation, co-accused Chulbul Kumar and Munna Yadav called Jay Prakash Kumar @ Situ (deceased), who was brother of the informant from his house. The father of the informant being apprehensive followed them and saw them boarding in a white-coloured four-wheeler, in which co-accused Binu Kumar and Tinku Rai were already present along with two unknown persons. Thereafter, the dead-body of Jai Prakash Kumar was found on the four-lane. It has been mentioned in the FIR that 5-6 months prior to the occurrence, an altercation had taken place between the deceased and the accused persons.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated. Except the confessional statement of the petitioner Anil Chaudhary @ Anil Kumar, there is nothing in the entire case diary.

5. The confessional statement of the petitioner Anil Chaudhary @ Anil Kumar has no evidentiary value as it was recorded by the Investigating Authorities.

6. On the other hand, the learned APP for the State opposed the prayer for bail by submitting that during



investigation, it has been detected that the deceased had love and affection with one Shobha Devi, who was a married lady and the petitioner Anil Chaudhary @ Anil Kumar was also in love and affection with that lady and in conspiracy with family members of Shobha Devi, the petitioners committed the murder of the deceased.

7. It appears that the petitioners are not the family members of Shobha Devi and except the confessional statement, nothing has been collected in course of investigation.

8. Considering the above facts and circumstances, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM XI, Chapra in connection with Chapra Muffasil P.S.Case No. 650 of 2023, subject to the condition that the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

HR/-

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