

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35853 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- DUMRA District- Sitamarhi

Chandan Singh @ Chandan Kumar, Male, aged about 23 years, S/o Ramvinay Kumar @ Vinay Singh, R/o Vill- Mishrauliya, P.S.- Dumra, Distt- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Madhubala Verma, Advocate
For the Informant	:	Mr. Raghvendra Kumar, Advocate
For the Opposite Party	:	Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 27-08-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumra P.S. Case No. 69 of 2025 dated 11.02.2025 registered for the offences punishable under Section 103(1) read with Section 3(5) of the B.N.S., 2023.

3. The prosecution case, in brief, is that on 11.02.2025 at about 9.00 A.M., the informant's husband was returning after a walk and as soon as he reached the shop of Shambhu Mahto which is situated between the house of villagers Ganesh Mahto and Bali Mahto, he saw that the co-accused Minita Devi and



Chandan Singh (petitioner) having Axe (Kulhari) in their hands were standing by the side of the road. The informant went to purchase articles at the grocery shop. It is further alleged that after seeing the informant's husband, the co-accused Minita Devi told that Dharmendra (the husband of the informant) has come, let him kill, on which, Chandan Kumar (petitioner) assaulted with Axe (Kulhari) on the head of the informant's husband, due to which, he sustained severe injuries. The co-accused Minita Devi also assaulted him with rod on his head. It is further alleged that 3-4 unknown persons were also present with Chandan Singh (petitioner) and who were also involved in killing the informant's husband. The informant saw and ran away towards the place of occurrence and raised hulla, thereafter, the accused persons fled away, her husband fell down on the ground and died. The husband of the informant was brought to the hospital where the doctor after his examination, declared him to be dead. It is further alleged that on 10.02.2025 at about 6.36 P.M., the co-accused Kajal Kumari from her Mobile No. 7765009488 called on the Mobile No. 9934676180 of the brother-in-law (Bhaisur) Jitendra Kumar of the informant and threatened to kill the husband of the informant and on the provocation of the co-accused Kajal Kumari, the co-accused



Minita Devi and Chandan Kumar (petitioner) have killed the husband of the informant. The reason behind the occurrence is that a dispute with regard to clearance of water was going on between the husband of the informant and the accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that as per the F.I.R., it appears that the petitioner repeatedly blow with the Axe (Kulhari) on the head of the deceased and the co-accused Minita Devi also gave blow with rod on the head of the informant's husband but the postmortem report shows one incised wound on the right side of the temporal region and one incised wound on the neck of the deceased and there is no injury of hard blunt substance. It is further submitted that both parties are agnates and there is also dispute with respect to clearance of water between the parties. It is further submitted that the petitioner is a student of Graduation in L.N.M. University, Darbhanga and he was not present on the alleged date of occurrence. The informant is not an eye witness to the alleged occurrence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 13.02.2024 in this case.

5. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the bail petition of the petitioner and have submitted that the petitioner is named in the F.I.R., and there is direct allegation against the petitioner that he assaulted the deceased on his head with Axe (Kulhari), due to which, he died. Learned counsel for the informant has further submitted that on the basis of the confessional statement of the petitioner, which is in paragraph no. 17 of the case diary, the Axe (Kulhari) used in the alleged occurrence has been recovered from the bamboo clump which is situated behind the house of the petitioner. The statement of the several witnesses have been recorded, which are in paragraph nos. 9 and 11 of the case diary, in which they have supported the prosecution case. Learned counsel for the informant has further submitted that there is no land dispute between the parties.

6. Considering the aforesaid facts and circumstances of the case as well as the accusation made against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Dumra P.S. Case No. 69 of 2025, pending in the court of learned Chief Judicial Magistrate, Sitamarhi.

7. The application stands rejected.

8. The learned court below is directed to expedite the



trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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