

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57303 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- DIGHA District- Patna

Chhotu Kumar S/o Late Satrudhan Shah @ Satrudhan Saw R/o - Gandhi Gali,
Gas Godam, Ramji Chak, P.S - Digha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 58374 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- DIGHA District- Patna

Arman Kumar S/o Sanjay Singh @ Sanjay Kumar R/o - Akhand Jyoti
Hospital, Mariyam Colony, PS-Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 57303 of 2025)
For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 58374 of 2025)
For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 17-10-2025 Heard Mr. Akhauri Kamal Kishore Sahay, learned

counsel for the petitioners and Mr. Yogendra Kumar, learned

APP for the State.

2. The petitioners have prayed for bail in connection
with S.T. No. 2022 of 2025 arising out of Digha P.S. Case No.
358 of 2024 registered for the offence punishable under Sections



120(B), 302 read with Section 34 of the Indian Penal Code which was earlier rejected by this Court vide order dated 23.01.2025 passed by this Court in Cr. Misc. No. 76936 of 2024 with an observation that the petitioners will be at liberty to renew their prayer for bail after six months if so advised.

3. The case of the prosecution is that the son of the informant Rahul Kumar was doing business of medicine and was living with his father. Ankit Kumar was his staff. On 10.06.2024, Ankit Kumar called his son at his flat. The son of the informant went there with his cousin Kundan Kumar Thakur. It is further alleged that Arman Kumar and Chhotu Kumar were already there. There all of them eat and drink. After that, Arman Kumar and Chhotu Kumar assaulted and pushed Rahul Kumar from the roof, due to which he died.

4. Learned counsel for the petitioners submits that petitioners have remained in judicial custody for more than six months and as per the report of the learned trial court, till today, charges have not been framed. The case has only been committed to the Court of Session. He further submits that the co-accused person, namely Ankit Kumar, who had called the deceased to his flat where the fateful occurrence took place, has been granted bail by learned Co-ordinate Bench vide order



dated 14.10.2025 in Cr. Misc. No. 69406 of 2025. The nature of allegation is general and omnibus and it has also been submitted that as the deceased was under the influence of intoxication, he fell from the roof of the apartment. Moreover, a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and petitioner namely, Arman Kumar and Chhotu Kumar are languishing in judicial custody since 11.06.2024 and 12.06.2024 respectively.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XII, Patna in connection with S.T. No. 2022 of 2025 arising out of Digha P.S. Case No. 358 of 2024.

(Ashok Kumar Pandey, J)

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