

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70038 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- LAKHAURA District- East Champaran

Arvind Kumar @ Aditya Kumar S/O Shambhoo Ray @ Mauji Lal Rai
Resident of Village - Naurangiya, P.S. - Lakhaura, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 71156 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- LAKHAURA District- East Champaran

Pappu Kumar S/o- Upendra Ray @ Pahari Rai Village- Naurangiya W.No-3,
Po- Semrahiya Ps- Lakhaura Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 70038 of 2024)

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Madan Kumar

(In CRIMINAL MISCELLANEOUS No. 71156 of 2024)

For the Petitioner/s : Mr. Radha Mohan Singh

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 24-03-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners have prayed for regular bail in a case
registered for the offence punishable under Sections 302, 120B
and 34 of the Indian Penal Code.



3. The case of the prosecution is that while the informant was sitting on his door, the accused persons called his son and took him for a feast. When the son of the informant did not return for a considerable time, the informant called on his son's mobile number, which was switched off. In morning, the search was made and he was found in an injured condition and he named 12 persons who have assaulted him. Subsequently, he died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. It is also submitted that the petitioner namely, Arvind Kumar @ Aditya has stated that his name does not find place in the FIR. The CDR of Rangeela Yadav's mobile was collected and in that CDR, it was found that he was having talk with Arvind Kumar (the petitioner). The owner of that mobile was Ashok Kumar. It has come that the mobile number of Ashok Kumar was being used by Arvind Kumar. It has also been submitted that except confessional statement, there is nothing against him. It is also submitted that the other co-accused has been granted bail by Co-ordinate Bench of this Court *vide* Cr. Misc. No. 56877 of 2024. It is further submitted



that the petitioner namely, Arvind Kumar @ Aditya Kumar is languishing in judicial custody since 17.06.2024 whereas Petitioner namely, Pappu Kumar is in judicial custody since 24.06.2024.

5. As far as petitioner, namely, Pappu Kumar is concerned, his name is mentioned in the FIR. In the first part, the informant stated that nine persons took away his son for a feast, but his son himself has named twelve persons who assaulted him. His name is also in that list. The petitioner namely, Pappu Kumar, has also given his confessional statement in which he has confessed his guilt. It is also submitted that nothing except the confessional statement exists and there is no eye-witnesses to the occurrence.

6. Learned APP appearing for the state has opposed the prayer of regular bail.

7. 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 namely, **Arvind Kumar @ Aditya Kumar and Pappu Kumar** are directed to be released on bail in connection with Lakhaura P.S. Case No. 62 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) **each** with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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