

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13994 of 2026

Arising Out of PS. Case No.-541 Year-2025 Thana- GHOSI District- Jehanabad

Amarendra Kumar @ Chhotkun, S/O Dinesh Prasad, R/O Vill.- Tadwan Math, P.S.- Ghosi (Okari), Dist.- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22218 of 2026

Arising Out of PS. Case No.-541 Year-2025 Thana- GHOSI District- Jehanabad

Saroja Devi, Wife of Nawal Prasad, Resident of Village - Tadwan Math, Police Station - Ghoshi (Okari), District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13994 of 2026)

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 22218 of 2026)

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-04-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 137(2), 103(1) and 3(5) of B.N.S.

3. The case of the prosecution, in short, is that the



husband of the informant has gone to work in Aristo Company. He has returned from Patna to his home. At 08:00 P.M., the informant has called him and they had talk. After some time, the mobile got switched off. He was searched but could not be find. The application was filed on 11.10.2025.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. Learned counsel for the petitioner ha submitted that the F.I.R. was lodged against unknown miscreants. During course of investigation, one Saroja Devi has given her statement in para '7' of the case diary wherein she has stated that she had talk with the deceased at 05:00 P.M. and after that at 07:43 P.M. regarding marriage of her daughter. During course of investigation, one Arvind and Saroja Devi have given their confessional statement and in confessional statement, it has come that at 07:30 P.M., the deceased met the accused persons at chhotki Math and he was being assaulted by Amrendra Kumar with *khanti* on his head due to which he fell down. After that, Saroja Devi and Amrandra assaulted with Khanti repeatedly and the dead body was thrown in paddy field. It has further been stated that *khanti* blow was given repeatedly on the parietal region of the head and the bike was thrown in a ditch.



Learned counsel for the petitioner has further submitted that the dead body was recovered on 19.10.2025. Thereafter, the postmortem was conducted. From perusal of the postmortem report, it transpires that it was only remnant of skeleton. There was a skeletonized human body with blackish soft tissue sparsely present at both feet. Maggots were crawling all over the remnant bones. Regarding ante-mortem injuries, the doctor conducting autopsy of the dead body has recorded that there was 'Y' shaped comminuted fracture of size 04cm x 03cm involving left temporal bone and there was depressed fracture of size 07cm x 04cm involving left parietal bone posterior part with absent corresponding bone. There was a radiating linear fracture 05cm in length extending from the depressed fracture posterior over the occipital bone. Learned counsel for the petitioner has submitted that save and except the confessional statement, there is nothing against the petitioner. Learned counsel for the petitioner has further submitted since only skeleton was recovered, it cannot be said that the skeleton was that of the deceased. Unless and until, it is established that the body which was brought for postmortem was of the deceased. The confessional statement and their correlation thereof has got no meaning. Petitioners are having no criminal antecedent and



they are languishing in judicial custody since 21.10.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the application for bail. Learned counsel for the informant has submitted that from perusal of para '93' of the case diary, it will transpire that co-accused Saroja Devi had talk with the deceased at 19.43 hours for four minutes. It has also been submitted that during course of investigation, one Urmila Devi has given her statement that on that day at about 9-10 P.M., Saroja Devi has come to the house of Urmila was in insane state of mind and when Urmila called about this, Saroja disclosed that she is not feeling well. Her cloths were also soiled. She was repeatedly said that she is not feeling well. Learned counsel for the informant has further submitted that from perusal of the postmortem report, it is clear that the manner of the occurrence which has emerged from the confessional statement of the co-accused persons corroborates the postmortem report. From perusal of the postmortem report it also transpires that shaft of right femur bone, right upper third molar and right upper second incisor was preserved for DNA fingerprinting and any other needful.

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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Ghoshi (Okari) P.S. Case No. 541 of 2025 **till the DNA report, however after the DNA report, if it is found that the body is that of Santosh Kumar (deceased), in that case, they will have to surrender and renew their prayer for bail.**

(Ashok Kumar Pandey, J)

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