

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24454 of 2026

Arising Out of PS. Case No.-1020 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Chandan Kumar S/o Guddu Sah Resident of village - Nonfarwa, P.S - Patahi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Ajay Kumar Singh, learned counsel for the

petitioner and Mr. Harendra Prasad, learned APP for the State.

2. Petitioner seeks bail who is in custody since
14.10.2025 in connection with S. Tr. No. 321 of 2026, arising
out of Motihari Town P.S. Case No. 1020 of 2025 for the
offences punishable under Sections 103(1), 238, 61(2) of the
B.N.S., 2023.

3. The petitioner and other co-accused person,
namely, Subhash Sah are alleged to have committed murder of
the husband of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and the he has falsely been
implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From bare perusal of the FIR, it appears that the date of occurrence as alleged in the FIR is 10.10.2025 but the present FIR was instituted on 12.10.2025 after delay of two days without giving any explanation for such delay. The petitioner is in custody since 10.04.2023.

5. Learned Additional Public Prosecutor, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt and stated that the petitioner along with others have committed the crime in question and the petitioner has also accepted that they had thrown the dead body of the deceased at an abandoned place and set it on fire. He further submits that at the instance of the petitioner dead body of the deceased was recovered in burnt condition and in this regard an inquest report was prepared which was mentioned at para- 23 of the case diary. Apart from aforesaid, witnesses, namely, Ajay Sah, Niranjan Kumar, Kamlesh Sah, Vikash Kumar and Aman Kumar have fully supported the case of prosecution which was recorded in paragraph nos. 20, 21, 22, 32 and 33 of the case diary.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in



connection with S. Tr. No. 321 of 2026, arising out of Motihari Town P.S. Case No. 1020 of 2025, pending in the Court of learned Additional District and Sessions Judge-II, East Champaran at Motihari or Successor Court.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Ranjeet/-

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