IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46115 of 2026

CNR No. BRHC010661822026

Arising Out of PS. Case No.-9 Year-2026 Thana- MURLIGANJ District- Madhepura

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Chandan Kumar Son of Yogendra Yadav @ Yogendra Kumar R/o Village - Ramsingh Tola, Ward No. 02, P.S.- Murliganj, District - Madhepura

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 48363 of 2026

CNR No. BRHC010661822026

Arising Out of PS. Case No.-9 Year-2026 Thana- MURLIGANJ District- Madhepura

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Kundan Kumar S/o Yogendra Yadav @ Yogendra Kumar Resident of Village- Ramsingh Tola, Ward No. 02, P.S.- Murliganj, District- Madhepura

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 46115 of 2026)
For the Petitioner/s : Mr. Kumar Dhirendra Pratap Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 48363 of 2026)
For the Petitioner/s : Mr. Kumar Dhirendra Pratap Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

3 29-10-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for bail in connection with Murliganj P.S. Case No.09 of 2026 registered for the offence punishable under Sections 103(1), 66, 238, 61(2) & 3(5) of the BNS.

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3. The case of the prosecution, in short, is that the petitioners were forcing the daughter of the informant to work as bonded labour. When she denied, the named accused persons (petitioners) threatened her of dire consequence. The daughter of the informant went missing from 03.01.2026. On 05.01.2026, the daughter of the informant was rescued by the villagers as eight accused persons were attempting to kill her. On 06.01.2026, it is alleged that the petitioners and others have killed her after committing rape with her.

4. Learned counsel appearing on behalf of the petitioners has submitted that from perusal of the FIR it is clear that informant is not the eye-witness. Save and except suspicion, there is nothing against them. There is delay in filing of the case which is not explained. Petitioners are languishing in judicial custody since 13.01.2026 having no criminal antecedent.

5. Countering this, learned Additional Public Prosecutor for the State has vehemently opposed the bail and has submitted that during course of investigation, Chandan (petitioner in Cr. Misc. No. 46115 of 2026) was apprehended ans in his statement he has confessed his guilt and has also stated the Kundan (petitioner in Cr. Misc. No. 48363 of 2026) has also actively participated in the act. During course of

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investigation, the vaginal swab of the deceased and clothes were seized and were sent to FSL for further investigation. The blood and semen of these petitioners were also collected for matching it with the deceased and for DNA profiling but till today, the report from the FSL is not available.

6. The petitioners are prime suspects in this case and the confessional statement of petitioner Chandan goes to show that he and petitioner Kundan, both were involved in the act.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioners at this stage, however, they may renew their prayer for bail after the FSL report is received.

(Ashok Kumar Pandey, J)

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