

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72163 of 2025

Arising Out of PS. Case No.-306 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Dharmendra Yadav S/o- Vinay Yadav @ Nitish Yadav R/v- Dhawal Bigha Ps-
Hulasganj Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 27-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 103(1), 238 and 61(2) of B.N.S.

3. The case of the prosecution is that one U.D. Case No. 02 of 2025 dated 10.03.2025 was registered on the basis of written statement of Chaukidar Tapeswar Paswan who in the morning of 10.03.2025 at about 7:30 AM saw a dead body of a lady near Railway Track in between village- Harnitand and Siripur. After 72 hours, photography was done and the dead body was disposed of. During enquiry, the SHO of Bishunganj Police informed that in Barabar (Paraytak) P.S. Case No. 27 of 2025 under Section 103(1), 238 and 3(5) of B.N.S. was filed



and one Manoj Devi identified the photograph of the unknown lady as her daughter, namely, Aarti Kumari who is said to be died in railway accident. It is further alleged that she fled away with one Kaju Kumar. Thereafter, the family members of Kaju Kumar informed the family of Aarti Kumari and her family members brought her and committed her murder giving it the colour of train accident.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that real fact is that the Nanihaal of Kaju Kumar was at Babalbigha who used to come there. Thereafter, Kaju Kumar and Aarti Kumari had affair with each other and in the meanwhile, Kaju Kumar behind back with his family members. Petitioner took away Aarti Kumari to his Village- Pater. After hectic search, when the family members of Aarti Kumari failed to search her then father of Aarti Kumari approached to Hulasganj Police regarding kidnapping of his daughter against Kaju Kumar and his family members but police did not lodge the case. Learned counsel further submitted that from perusal of the FIR, it is clear that there is general and omnibus allegation against the petitioner and family members of Aarti Kumari that they have killed her giving it a colour of train



accident. During course of investigation, he has given his confessional statement and save and except his confessional statement, there is nothing against him. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.06.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Makhdumpur P.S. Case No. 306 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jehanabad.

(Ashok Kumar Pandey, J)

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