

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84225 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- FESHAR District- Aurangabad

1. Chandan Kumar, S/O Rameshwar Choudhary, Resident of Village- Banghi, P.S- Fesar, District- Aurangabad
2. Sanjay Singh, S/O late Sarju Singh @ Late Saran Singh, Resident of Village- Jhekhi Raghunathpur, P.S- Nokha, District- Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Singh, Advocate
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. This is the second attempt on behalf of the petitioners for grant of regular bail in connection with Fesar P.S. Case No.130 of 2024 registered for the offence under sections 103 and 238 of the B.N.S., 2023 and under sections 25(1-b)a & 26 of the Arms Act.

3. Earlier, the bail applications of the petitioners were rejected by this Court vide common order dated 09.05.2025 passed in Criminal Miscellaneous No.13913 of 2025 and Criminal Miscellaneous No.14270 of 2025. The aforesaid order dated 09.05.2025 reads as under:-

“These applications are arising out of



the same P.S. Case Number i.e., Fesar P.S. Case No. 130 of 2024. Hence, they are being heard together and are being decided by a common order.

2. Heard the learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek regular bail in connection with Fesar P.S. Case No. 130 of 2024 registered for the offence under Sections 103 & 238 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 25(1-b)a, 26 of the Arms Act.

4. The deceased was brutally killed by unknown persons. The informant has suspected the hand of one Mahendra Choudhary in the killing of the deceased.

5. The petitioners gave a self-inculpatory statement confessing their guilt and from the statement of the petitioners, a spanner, knife and a black towel were recovered near the place of occurrence. From the analysis of the CDR, the presence of the petitioners was found at the same time and at the same place creating a serious suspicion of their involvement in the commission of the crime.

6. So far as the petitioner namely Chandan Kumar is concerned, he has one criminal antecedent and is in custody since 12.11.2024.

7. So far as the petitioner namely Sanjay Singh is concerned, he has one criminal antecedent and is in custody since 12.11.2024.

8. Considering the allegations levelled against these petitioners, I am not inclined to



grant bail to the petitioners.

9. Accordingly, these applications for regular bail are hereby rejected.”

4. It has been submitted by learned counsel for the petitioners that out of sixteen witnesses, nine witnesses have been examined in the trial.

5. Considering the fact that the trial is proceeding and also the laid down down by the Hon’ble Supreme Court in the case of *X vs. State of Rajasthan & Anr.* reported as **2024 SCC OnLine SC 3539**, I am not inclined to review my earlier order dated 09.05.2025. Accordingly, this bail application is dismissed.

6. The Superintendent of Police, Aurangabad is directed to ensure the presence of remaining witnesses in the trial.

7. Let a copy of this order be communicated to the Superintendent of Police, Aurangabad forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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