

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4940 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- CHAKAI District- Jamui

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1. Victor Besra, S/O Manvel Besra, R/O Village- Chadari, P.S- Chakai, Distt.- Jamui.
 2. Sonu Marandi @ Sona Marandi @ Sona Ram Marandi, S/O Fagu Marandi, R/O Village- Chadari, P.S- Chakai, Distt.- Jamui.
 3. Mantu Marandi, S/O Budhan Marandi, R/O Village- Chadari, P.S- Chakai, Distt.- Jamui.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bimla Devi, W/O Budhan Paswan, R/O Village- Balagoji, P.S- Chakai, Distt.- Jamui.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Satya Prakash Parasar, Advocate
For the State	:	Ms. Usha Kumari 1, Spl. P.P.
For the Respondent	:	Mr. Akash Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 06-04-2026 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the respondent.

2. The instant appeal has been filed by the appellants against the order dated 27.11.2025 passed by learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Jamui whereby the prayer for bail of the appellants in connection with Chakai P.S. Case No. 180 of 2024 registered under Sections 126(2), 115(2), 109, 351(2), 103(1) and 3(5) of



B.N.S. read with Section 3(2)(va) of SC/ST (POA) Act was rejected.

3. The case of the respondent, in short, is that the husband (deceased) of the informant was working in a Plant. On 17.09.2024, he has gone to the plant. He did not return till night. He was being searched. He was found in subconscious position near the plant. It is further alleged that one Naresh Verma has threatened him of the dire consequences. The respondent came to know that the appellants along others have killed her husband.

4. It is submitted by learned counsel for the appellants that appellants are innocent and have been falsely implicated in this case. Learned counsel for the appellants has submitted that in this case, there are altogether three appellants. The name of the appellants has surfaced only on the basis of suspicion. During course of investigation, the appellants have also given their confessional statement. It has further been submitted that mobile of the deceased was recovered from the possession of one Ajeet and none of the appellants is Ajeet. It has further been submitted that save and except the confessional statement, there is nothing against the appellants. All the confessional statements were recorded before police which is not a legal material. It has



further been submitted that in this case, police has submitted charge-sheet, charge has been framed and the evidence is in progress. The appellants are having no criminal antecedent and they are languishing in judicial custody since 20.09.2024.

5. The appeal for bail is vehemently opposed by learned Spl. P.P. for the State and learned counsel for the respondent. Learned counsel for the respondent has stated that the appellant no.2 has given his confessional statement and has confessed his guilt and has stated that he has pressed the neck of the deceased which is corroborated by the postmortem report. From perusal of the postmortem report, it is clear that the deceased has following ante-mortem injuries; first is lacerated wound size 1" x 1/2" x 1/4" brown in colour on left hand. On right side of neck was covered by bandage and cello tape. After exposure of the bandage and cello tape central line catheter scar present on right side of neck. Multiple small brown coloured abrasion present on right side of neck. Learned counsel for the respondent has submitted that the abrasions on the neck corroborate with the confessional statement of appellant no.2.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed



and the impugned order dated 27.11.2025 passed in connection with Chakai P.S. Case No. 180 of 2024 is hereby set aside.

7. The appellants are directed to be enlarged on bail in connection with Chakai P.S. Case No. 180 of 2024 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 Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Jamui.

(Ashok Kumar Pandey, J)

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