

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

B.P. No. 127/2026

Arising out of Madanpur P.S. Case No. 383/2025

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Chhotu Kumar, S/o late Sohan Prasad, age-37 years, R/o village- Pathak Bigha Road Madanpur, P.S.- Madanpur, District- Aurangabad (Bihar), At present R/o village- Kalyanpur, P.S.- Delha, District- Gaya Jee (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s) : Md. Imteyaz Ansari, Adv.
For the State : Sri Ajay Kumar, P.P.

18.03.2026

The petitioner, who has been undergoing judicial custody since 30.09.2025, preferred this application for grant of regular bail in connection with Madanpur P.S. Case No. 383/2025 registered for the offence u/s 140(3) of the Bharatiya Nyaya Sanhita, 2023. A copy of the bail petition has been served upon Ld. P.P. for the state.

It is the case of the prosecution that on 22.09.2025 at about 09:20 p.m., informant's brother named as Md. Reyaz Alam (now deceased) had gone out of his house for walking, but he did not return to his house till late night. Thereafter, informant took search of his brother, but he was not found.

It has been submitted by the learned counsel appearing for the petitioner that the petitioner is quite innocent and has committed no offence. Petitioner is not named in the F.I.R. The confessional statement of the petitioner is the only material against him. No incriminating material has been recovered from the possession of the petitioner. Petitioner has no concern with the alleged offence. Petitioner is having clean antecedent and he has been undergoing judicial custody since 30.09.2025. It is therefore prayed that the petitioner be enlarged on bail.

Per contra, learned P.P. opposed the prayer for grant of bail to the petitioner and submitted that the petitioner along with his other accomplices had killed the deceased as the deceased used to visit to the house of petitioner's bhabhi with bad intention. The petitioner confessed his guilt of committing murder of deceased. It is further submitted that the dead body of deceased was recovered from a well in decomposed condition. Hence, the petitioner does not deserve to be

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enlarged on bail.

Heard learned counsel appearing for the petitioner and learned P.P. for the State.

As per allegation, the brother of the informant named as Md. Reyaz Alam had gone out of the house, but he did not return to his house till late night. Thereafter, informant took search of his brother, but he was not found. During course of investigation, the dead body of his brother was recovered from a well, as mentioned at para-14 of the case diary. As per inquest report, ligature mark was found over the neck of the deceased. From perusal of case diary at page-9, it appears that the witness Sunil Kumar in his statement stated that he had seen that the petitioner, co-accused Bilendra Bhuiyan and three-four unknown persons were beating to Pinta (deceased) and later on, he came to know that the dead body of the deceased was recovered from a well. The petitioner confessed that the deceased used to visit to the house of petitioner's bhabhi with bad intention and hence, he hatched a conspiracy to kill him and on 22.09.2025, the petitioner along with co-accused persons named as Bilendra, Behra, Guruji and Barka Hathi assaulted to the deceased with bamboo bat leading to his death. Thereafter, the accused persons had thrown the dead body of deceased into a well. From perusal of case diary at para-44 it appears that the bamboo bat, which was used in committing the crime, has been recovered and seized. Postmortem report of the deceased shows fracture of cervical bone C1 and C3. Spinal cord was found crushed and decomposed. As per postmortem report, the deceased died due to hemorrhagic shock due to crush of spinal cord inside cervical bone canal.

Hence, the bail petition filed on behalf of the petitioner Chhotu Kumar is hereby rejected.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)