

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75341 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- PASRAHA District- Khagaria

ABHYAS KUMAR @ ABHYAS YADAV Son of Bishunudeo Yadav @ Bisho
Yadav Resident of village - Bandehra (Chhoti Bandehra), P.S. - Pasraha,
District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 05-03-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Pasraha Police Station Case No. 20 of 2023, disclosing
offences under Sections 302, 201, 506, 34, 120(B) of the
Indian Penal Code and Section 27(3) of Amrs Act.
3. As per the First Information Report, on 10.02.2023, in the
morning, the informant received an information on his
mobile that his elder brother namely Nehru Kumar has
been killed and his dead body is lying in Chaudhary
Bagicha. Thereafter, the informant along with his family
members reached there and found that the dead body of
his elder brother was lying having deep injuries as well as
fire arm injury on the body.
4. Learned Counsel for the petitioner submits that the
petitioner is not named in the FIR and named accused



Pritam Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 47765 of 2023. The name of the petitioner has transpired during the course of investigation on the basis of CDR report conducted by the police. He further submits that one another accused Shishu Kumar was also made accused in the present case during the course of investigation on the basis of CDR report and he has been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 79398 of 2023. The informant in the FIR has given the main motive of the occurrence that on the basis of information given by the deceased regarding sale of corex syrup Chandeshwari Yadav @ Chano Yadav and his younger son Piyush Kumar were arrested by the police upon which named co-accused Pritam Kumar had threatened the younger brother of the informant of dire consequences because the deceased had acted like an informer before the police.

5. On the other hand, learned counsel for the State referring to paragraph 115, 117, 119 and 41 of the case diary submits that statement of witnesses were recorded but name of the petitioner has not been disclosed and only the



name of Pritam Kumar has been disclosed by the witnesses.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that named co-accused-Pritam Kumar and one another accused-Shishu Kumar having similar allegation as that of the petitioner have been granted anticipatory bail by a Bench of this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Khagaria, in connection with Pasraha Police Station Case No. 20 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

