

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14784 of 2025

Arising Out of PS. Case No.-334 Year-2024 Thana- KAKO District- Jehanabad

=====

Krishna Kumar S/O Ram Bhawan Prasad @ Baban @ Ram Bhawan Yadav
Village- Basantpur Harhar, P.S.- Kako Bhelawar, Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan

For the Opposite Party/s : Mr. Manoj Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 103(1), 3(5) of the B.N.S.S.

3. The prosecution case as disclosed in the First Information Report is that on 19.11.2024, the father of the informant aged about 80 years had gone to his Dalan and in the morning on 20.11.2024 his dead body was found hanging from the ceiling which was recovered by one Rani Kumari, who is the grand daughter of the deceased. A suspicion has been raised on five named accused persons including the petitioner out of whom three are the cousin brothers and the petitioner is the nephew.

4. Learned counsel for the petitioner submits that



there is general and omnibus allegation on all the five accused persons and such allegation has been imputed only on the basis of suspicion as would be apparent from the FIR itself as there was a dispute in the family of the informant. It has further been submitted that it was one of the co-accused of this case, Pawan Kumar, who had rather helped in bringing down the dead body of the deceased from where it was hanging in the courtyard. There is no other allegation that either the petitioner was seen in the vicinity of the place of occurrence or he was even last seen with the deceased. The materials collected during the course of investigation also does not reveal any specific allegation against the petitioner. It has also been submitted that the postmortem report which is a part of the case diary also discloses the fact that the cause of death is cardio respiratory arrest due to asphyxia caused due to hanging which supports the factum of the deceased having committed suicide by hanging. Further, it has also been stated that the present petitioner is a student who is preparing for competitive examination and is residing at Jehanabad and was not present in the village on the date of occurrence also. He also submits that the other co-accused persons being the father and uncle of the petitioner who were actually having a dispute with the informant have already



surrendered and are in custody.

5. Learned APP for the State has opposed the application for anticipatory bail, besides others on the ground that the petitioner has one criminal antecedent. In response to which it has been submitted that the case is of 2018 and the petitioner is on bail in the said case.

6. Considering all the above-mentioned facts and circumstances, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kako P.S. Case No. 334 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

devendra/-

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

