

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13286 of 2025

Arising Out of PS. Case No.-877 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Birendra Singh S/O Late Shivpujan Singh Resident of Bhahua ward no. 20,
P.S.- Bhabhua, Dist.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prarsad Singh, Sr. Adv. Mr.Pawan Kumar Singh, Adv.
For the Opposite Party/s :		Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 23-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in Bhabua
P.S. Case No. 877 of 2024 registered under Section 103 and
61(2) of Bihar Nyay Sanhita (B.N.S.) 2023.

3. The informant is widow of the deceased. According to
FIR, her husband apprised the informant one monmth prior to
lodging of the FIR that the petitioner had threatened to kill him.
When she asked the reason, her husband did not apprise. On 01-
11-2024, her husband went from her house to market to
purchase household articles with cash of Rs. 20,000/- but he did
not return. It has further been mentioned in the FIR that the
petitioner came to the house of informant and apprised her that



her husband after consuming liquor is lying in drunken condition and when the petitioner wanted to awake her husband, he abused him. The petitioner asked the informant to go to the place of occurrence and bring her husband to the house. She went there and brought her husband to her house. She sprinkled water on his face but there was no movement and he died.

4. Mr. Krishna Prasad Singh, learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. There is no enmity between the petitioner and the deceased. The deceased did not apprise his wife anything else showing the involvement of the petitioner in this occurrence. It has further been submitted that nonetheless but the petitioner himself came to the house of the informant and apprised her that her husband is lying in drunken condition and on the information given by the petitioner, the informant brought her husband to her house. Learned counsel has submitted that as a matter of fact, the deceased after consuming liquor in excessive quantity, had died. According to FSL report (viscera), the liquor was found in the abdomen of the deceased, which shows that prior to his death, the deceased had consumed liquor.

5. On the otherhand, Sri Vinod Kumar, learned APP has



opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 877 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. It is made clear that the petitioner will appear in the court below on each and every date fixed in the case till framing of charges.

(Nawneet Kumar Pandey, J)

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