

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43218 of 2025**

Arising Out of PS. Case No.-2 Year-2025 Thana- KHUDWA District- Aurangabad

- 1. Pankaj Kumar S/O Ram Prasad Yadav R/O Emamganj, P.s.- Obra, Dist.- Aurangabad.
- 2. Neelam Kumar S/O Ram Prasad Yadav R/O Emamganj, P.s.- Obra, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrinath Manjhi, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER**

5 16-12-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehends their arrest in connection with Khudwa P.S. Case No. 02 of 2025 registered for the offences under Sections 191(2), 191(3), 190, 127(1), 115(2), 118(1), 117(2), 125(b), 109(1) and 103(1) of the B.N.S., 2023.

3. As per the prosecution case, the informant has alleged that when his younger brother was returning after watching football match, in midway it has been alleged that around 25 persons including these petitioners, who were armed with lathi danda etc. stopped his brother and it has been further submitted that the named accused persons and two other persons

started assaulting the younger brother of the informant who got seriously injured and thereafter one of the accused, namely, Ram Prasad Singh hit the brother of the informant with Axe and thereafter other accused persons including these petitioners assaulted him with lathi, danda etc and when the co-villagers came the accused persons ran away. It has been submitted that during the course of treatment the brother of the informant died.

4. Learned counsel for the petitioner submits that the present case is a false and concocted version. It has been submitted that the petitioners are falsely implicated in this case. Even from the perusal of the F.I.R., it would be evident that the same has been lodged with general and omnibus allegation against the petitioners. It has further been submitted that the informant admittedly is not an eye-witness to the occurrence. It has next been submitted that the petitioner are students of B.A. Part III and they are falsely been implicated in this case at the behest of their rivals and they have no concern with the said incident. It has lastly been submitted that the petitioners carry clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that there were multiple injuries found on the body of the deceased, namely, Prince

Kumar and the same was caused by indiscriminate assault by the named accused persons. It has been submitted that the co-accused persons who have been granted bail by this Hon’ble Court vide order dated 20.05.2025 passed in Cr. Misc. No. 31912 of 2025 and analogous case were all in custody and were granted regular bail. It has lastly been submitted that there is specific allegation against the petitioners to have assaulted the brother of the informant.

6. Considering the aforesaid submission, facts and circumstances of the case, there is no ground to grant privilege of anticipatory bail to the petitioners and the same is rejected.

7. Accordingly, the prayer for anticipatory bail is rejected.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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