

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42823 of 2025

Arising Out of PS. Case No.-292 Year-2025 Thana- ALAMGANJ District- Patna

Pancham Mehta @ Pancham Kumar S/o Late Ramchandra Prasad @ Ram-
chandra Prasad Mehta R/o Mohall- Tulsi Mandi, P.S.- Alamganj, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

Mrs. Vaishnavi Singh, Adv.

For the State : Ms. Suman Kumari Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 29-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with
Alamganj P.S. Case No. 292 of 2025 registered for the offences
punishable under Sections 103, 238 and 3(5) of the B.N.S.,
2023.

3. The allegation in the FIR is that a dead body was found
near a railway over-bridge and the police received a secret infor-
mation that a thief had entered the house of the petitioner, who
along with his family members, assaulted the said person to
death. On such information, the police reached the house of the
petitioner and found some blood stains and a broken stick.

4. Learned counsel for the petitioner submits that as a



matter of fact, the petitioner was not there in the house at the relevant time and in the absence of any male member in the house, the thief had entered the house around 3:00 - 4:00 A.M. who was caught by the family members along with others and was assaulted. It is further submitted that the allegation of dragging the deceased from the house to outside does not get supported in view of the fact that no trail of blood or mark of dragging was found from the house of the petitioner to the place where the dead body was recovered. There is no witness during the entire course of investigation to state that the petitioner was himself present in the house and had also indulged in assaulting the deceased. The entire case is based on a secret information and only upon suspicion and no family member of the deceased has lodged the FIR.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail on the ground that the deceased was beaten to death by the petitioner and other family members and the wife of the petitioner has also admitted the factum of assaulting the deceased alongwith her family members coupled with the statement of the maidservant of being called to clean up the floor of the house of the petitioner. Further, the post-mortem report also corroborates the allegations showing multi-



ple injuries.

6. Considering the fact that it has been disclosed that blood stains and broken stick were found from the house of the petitioner which is a strong circumstance and also taking into consideration that the postmortem report corroborates the allegations, I am not inclined to grant anticipatory bail to the petitioner, who is the male member of the family and whose possibility of involvement in assaulting the deceased is greater. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within three weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law on its merits without being prejudiced by this order considering the fact that co-accused Madhu Kumari, who is wife of the petitioner, has already been granted the privilege of regular bail.

8. Accordingly, the application stands dismissed.

(Soni Shrivastava, J)

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