

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48065 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- TISIAUTA District- Vaishali

Prince Kumar @ Mirchaiya S/o Surendra Singh @ Bhikhari Singh R/o
Village- Maudah Chatur, P.S.- Harilochanpur Sukki, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.
Mr. Harsh Singh, Adv.
Mr. Nilendu Kr. Chaudhary, Adv.
Ms. Saba Azami, Adv.
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 30-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Tisiauta P.S. Case No. 75 of 2024 dated 15.07.2024 registered for the offences punishable under Sections 103(1) and 238 of the B.N.S., 2023.

3. As per the prosecution case, during the course of patrolling, police recovered a dead body kept in a Scorpio vehicle which was parked by the side of the road of ‘Dhavaich Petrol Pump’. The police suspected that some unknown miscreant killed an unknown person and kept his dead body in the said Scorpio vehicle.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the F.I.R. has been lodged against unknown and the petitioner is not named in the F.I.R. His name has come in the present case only on the basis of disclosure made by local people and secret information given by the spy by saying that on the alleged date of occurrence, one Manish and his brother Prince (petitioner) and the Bittu @ Kallu (driver), Nitin Kumar and Jitesh Kumar @ Rancho organized a party of fish and liquor in the bamboo cluster in which the outsider brutally assaulted them and they took him for treatment but he died during his treatment. It is further submitted that the petitioner has no concern with the alleged offence. It has come during the investigation that there is dispute between the deceased and the co-accused Manish Kumar @ Lalu. The name of the petitioner has come only on the basis because he is the brother of the co-accused Manish Kumar @ Lalu. No incriminating article has been recovered from his possession. Learned counsel for the petitioner refers paragraph nos. 29, 36, 39 and 42 of the case diary in which the witnesses have not stated anything against the petitioner. The petitioner has three criminal antecedents as stated in paragraph no. 263 of the of the



case diary. The co-accused person has already been granted regular bail by this Court vide order dated 16.04.2025 passed in Cr. Misc. No. 9870 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 75 of 2024, subject to conditions as laid down under section 482(2) of the B.N.S.S., with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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