

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50209 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

=====

Akshay Kumar @ Akshay Ram, aged about 30 years (Male), S/o Lallu Ram,
Resident of village- Sonara, P.S.- Belaon, District- Kaimur at Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party : Mr. Chandra Sen Prasad Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhagwanpur (Belaon) P.S. Case No. 156 of 2024 dated 08.06.2024 registered for the offences punishable under Sections 120B, 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, on 07.06.2024, the informant's sons, namely, Pankaj Kumar and Aman Kumar had gone to Belaon Bazaar for purchasing vegetables and after that Pankaj Kumar handed over the vegetables and mobile to his younger brother, Aman Kumar, and also said to return. Later on, Pankaj Kumar did not return to his village then the informant and other persons started searching for him and during search,



the informant came to know that a dead body is lying at 'Maa Kali Temple'. When the informant went 'Maa Kali Temple' alongwith his family members, they found the dead body of the deceased, Pankaj Kumar. It is further alleged that the informant suspected that the petitioner and the other co-accused persons have killed his son and threw his dead body near the 'Maa Kali Temple'.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no specific allegation against the petitioner. There is no eye witness to the alleged occurrence and due to previous dispute between the parties, the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. It is further submitted that other co-accused person, Umesh Ram, has already been granted regular bail by a Bench of this Court in Cr. Misc. No. 68642 of 2024 vide order dated 02.04.2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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



Learned A.P.P. for the State has further submitted that the petitioner is named in the F.I.R. and he alongwith others have killed the son of the informant and threw his dead body near 'Maa Kali Temple' in Belaon Bazzar'. The postmortem report of the deceased shows the death caused by sharp cutting injuries on the front of neck caused by sharp cutting object and injuries are ante-mortem in nature.

6. Considering the aforesaid facts and circumstances of the case as well as the accusation against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and the same is rejected with a direction to the petitioner to surrender before the learned court below within a period of six weeks from the date of receipt/production of a copy of this order and the learned court below may consider the prayer for regular bail of the petitioner without being prejudiced of the order of this Court in connection with Bhagwanpur (Belaon) P.S. Case No. 156 of 2024, pending in the court of learned C.J.M., Bhabua, Kaimur at Bhabua.

7. Accordingly, the anticipatory bail application of the petitioner stands rejected.

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(Chandra Prakash Singh, J)

