

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52570 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Pankaj Singh @ Pankaj Kumar Singh, S/o- Late Baijnath Singh, resident of
Village-Paspura, P.S.- Mufassil, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Mufassil P.S. Case No.307 of 2024 registered under Sections 137(2), 140(3) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') but, later on, Section 103(1) of B.N.S. was added.

3. As per FIR, eleven years old son of informant namely, Yashwant Kumar was kidnapped on intervening night of 31.07.2024 at about 9:30 P.M. by named co-accused including petitioner out of enmity arising out of previous quarrel. Subsequently, the dead body of son of informant was recovered from a nearby pond on 02.08.2024.



4. It is submitted by learned counsel appearing for petitioner that except suspicion arising out of previous quarrel, as expressed through FIR by informant, nothing transpired during the course of investigation, which may suggest involvement of petitioner with crime in question. It is submitted that even during investigation, it transpired that the petitioner was not even last seen with deceased rather he was last seen with co-accused Ankit Kumar, Nitish Kumar and Vicky Jha. It is submitted that upon recovery of dead body, post-mortem was conducted, where cause of death is clearly opined as *asphyxia* due to drowning. It is submitted that it is a case of accidental death, where the petitioner implicated due to suspicion arising out of previous enmity. While concluding argument, it is submitted that on all material aspects, the investigation of this case is completed while the wife of this petitioner remains in custody for four or five months and, therefore, there is no requirement of any custodial interrogation of this petitioner *qua* crime in question.

5. Learned APP has opposed the prayer for grant of anticipatory bail to the petitioner.



6. In view of aforesaid factual submissions, as *prima facie* the death of son of informant appears out of accident, as cause of death mentioned in postmortem report as *asphyxia* due to drowning, where during investigation, this petitioner was not found last seen with the deceased accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Begusarai in connection with Mufassil P.S. Case No.307 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

