

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60519 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- DAUDNAGAR District- Aurangabad

1. Nitish Kumar @ Nitish Prajapati S/o Kamlesh Prajapati R/o Village - Daudnagar, Mali Tola, Ward no.- 05, P.S - Daudnagar, District - Aurangabad
2. Amarjit Kumar @ Amarjit Prajapati S/o Yugeshwar Prajapati R/o Village - Daudnagar, Mali Tola, Ward no.- 05, P.S - Daudnagar, District - Aurangabad
3. Virendra Kumar @ Virendra Prajapati S/o Vishwanath Prajapati R/o Village - Daudnagar, Mali Tola, Ward no.- 05, P.S - Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Ms. Mukul Kumari, Advocate
For the State : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 191(2) and 190 of the B.N.S..

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, beat husband of informant to death on the allegation of committing theft after entering into Shiv Temple.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they, along with other accused persons, have beaten husband of informant to death. The *post mortem* report of the deceased shows blackening of sternum, abrasion on both legs, abrasion on lower back and semen discharge present on the inner garments and slaving in mouth. Cause of death has been opined by the doctor due to hemorrhage, coma and shock due to rupture mesenteric blood vessels due to impact of hard and blunt object.

6. Considering the facts and circumstances of the case and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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