

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61005 of 2025

Arising Out of PS. Case No.-44 Year-2016 Thana- PAKRIDAYAL District- East Champaran

Basant Kumar S/o Raju Singh R/o Village- Baijnathpur, P.S.- Minapur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-09-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Pakridayal P.S. Case No. 44 / 2016 dated 10.04.2016 registered under Sections 302 / 120(B) / 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the first information report on 10.04.2016 in the evening at about 7:00 P.M. the informant's younger brother namely, Diplal Sah went to attend the nature's call in 'lichi' orchard. After some time, the informant heard the screaming sound of his brother upon which he rushed towards the 'lichi' orchard and saw that his brother was hanging with a tree and the co-accused / Arun Bhagat, Dilip Kumar Singh and some unknown persons were fleeing away from the orchard. One person was hiding himself behind the tree and he was caught by



the informant who disclosed his name as Chandan Kumar and further disclosed that Arun Bhagat, Dilip Kumar Singh and others have hanged the informant's brother (deceased).

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and he has falsely been implicated in this case merely on suspicion during the course of investigation on the ground that he had a talk with the accused persons on his mobile after the occurrence. He submits that petitioner is a plumber and used to visit the house of the accused persons for necessary repairing and talk might have taken place due to that reason. The petitioner is having no criminal antecedent. The petitioner was not knowing about his involvement in the present occurrence and when the police started coming in 2023 the petitioner filed anticipatory bail application which has been dismissed without applying judicial mind.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is not named in the F.I.R. and his name has come merely on the basis of his talk with the F.I.R. named accused persons, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the



court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 44 / 2016 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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