

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67779 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- Bahoranpur District- Bhojpur

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1. Bilar Kamkar @ Barmeshwar Kamkar Son of Late Ram Pravesh Kamkar
Resident of village - Karja, P.S.- Bahoranpur, District - Bhojpur.
 2. Ajit Kamkar @ Ajit Kumar Prasad Son of Bilar Kamkar @ Barmeshwar
Kamkar Resident of village - Karja, P.S.- Bahoranpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Omprakash Pandey, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 08-10-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 103(1) and
3(5) of the BNS.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that her brother-in-law, namely, Chhotak Yadav was
consuming liquor in an orchard with Pappu, Ajit, Ramudar and
Billar on 26.06.2025. Further, at 11:00 p.m., her son called when
Chhotak voice felt nervous and said that a conspiracy is being
hatched against him and from behind voice was being heard. It
is further alleged that on 27.06.2025 Mulki informed at 06:00



a.m. that Chhotak has been killed, accordingly, she reached the place of occurrence and saw the dead body lying near a tree and a towel was wrapped around his neck. It is next alleged that about five months back an amount of Rs.1 lakh was given by the brother-in-law of the informant for purchasing cow and twenty days back a dispute had arisen with regard to the returning of the amount and Pappu had threatened, thus, alleges based on suspicion that accused persons killed.

4. Learned counsel for the petitioners submits that petitioners, based on suspicion, have been implicated in the instant case by the informant. It is further submitted that informant is not an eyewitness to the occurrence. It is next submitted that though in the FIR, it is alleged that when the son of the informant called Chhotak, he felt nervousness in his voice and he also disclosed that conspiracy is being hatched to kill him but then neither the informant nor her son or any family members went to the orchard to verify as to why Chhotak was feeling nervous and what conspiracy was being hatched against him. It is also submitted that from the FIR, it can be culled out that Chhotak did not disclose to the informant or her son that he was consuming liquor in an orchard with Pappu, Ajit, Ramudar and Billar. It is, thus, submitted that it absolutely does not stand



to reason that on what basis the informant alleges that he was consuming liquor with the named accused persons. It is further submitted that Pappu, Ajit and Ramudar are sons of petitioner no. 1. It is next submitted that had the petitioners been involved in the occurrence in that event they would not have allowed Chhotak to talk to the son of the informant. It is reiterated and submitted that petitioners are persons with clean antecedent and the entire allegation hinges around suspicion and the petitioners will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners and also taking into consideration the fact that petitioners are persons with clean antecedent, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bahoranpur P.S. Case No. 84 of 2025, subject to the conditions as laid down under Section 482(2) of the



BNSS.

7. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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