

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72044 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Sujeet Kumar @ Sujeet Kumar Singh S/o Ramanand Singh Resident of
Village- Aura, P.S.- Tariyani, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Ms.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Tariyani PS Case No. 130 of 2025, registered for the
offences punishable under Sections 329(3), 126(2), 115(2),
103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is not the
assailant of the deceased and has been falsely implicated in the
instant case by the informant on account of dispute relating to
drain.

4. Learned A.P.P. for the State vehemently opposes
the prayer for anticipatory bail of the petitioner and submits that



from perusal of the allegation as alleged in the FIR, it would manifest that the same has been instituted by the informant, who is son of the deceased. It is next submitted that the informant specifically alleges that it was this petitioner who caught his father from behind and also gave orders to kill, based on which Priyanshu @ Bhola assaulted the father of the informant by sword causing injury on chest leading to his death.

5. Learned counsel appearing on behalf of the petitioner submits that no doubt in the FIR, it is alleged that it was this petitioner who had caught the father of the informant and thereafter Priyanshu @ Bhola assaulted him by sword leading to his death, but in his statement recorded under Section 180 BNSS, the informant has stated that it was Priyanshu @ Bhola who had caught his father and also assaulted him, on which the learned APP submits that statement recorded under Section 180 BNSS is not admissible in evidence and has to withstand the scrutiny of trial, but then son of the deceased has instituted the instant FIR alleging about killing of his father, as such it does not appear probable that informant in the FIR would have falsely alleged that it was this petitioner who had caught his father from behind and thereafter Priyanshu assaulted him by sword causing injury on chest leading to death, it is next



submitted that a son would not falsely implicate a person knowing that he was not involved in the occurrence of killing his father, it is also submitted that investigation is in its nascent stages and in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or temper with the evidence.

6. The Court is in complete agreement with the submission made by learned APP as such is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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