

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84892 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- IMADPUR District- Bhojpur

Indradeo Singh S/O Late Hakadi Mahto R/O Village- Dhokhra, Post- Bihta,
P.S- Imadpur, District- Ara, Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

Mr. Alok Rahi, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 13-05-2025 Heard Mr. Krishna Prasad Singh, learned Senior
counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending arrest in connection with Imadpur P.S. Case No. 56 of 2024, dated 18.06.2024, lodged under Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. The informant has disclosed that the husband of the petitioner along with other named accused persons have went in the agricultural field but as that he has not returned then on the next day, they started searching, in which, the dead body of her husband was found in the well. It has been alleged that on her dead body, the assault and sign of electrocution is there. On his anticipation, the case has been modified in which the name of accused person has been inserted.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that in this case, some accused persons have been granted anticipatory bail namely, Ram Krishna Singh *vide* order dated 19.04.2025 passed in Cr. Misc. No. 88328 of 2024. He submits that co-accused namely, Dharmendra Singh has been granted regular bail by Co-ordinate Bench of this Court *vide* order dated 22.03.2025 passed in Cr. Misc. No. 88473 of 2024. Counsel further submits the allegation of death due to electrocution is absolutely not correct due to the reason that this Hon'ble Court at the time of passing of final order in Cr. Misc. No. 88473 of 2024 dated 22.03.2025 it has been acknowledged that upon perusal of the postmortem report, it transpires that there was *ante-mortem* injury on the person of the deceased but there was no mark of electrocution found by the doctor who conducted the postmortem reports. The reason of death is also reported and same is preserved by FSL report of viscera. Generally viscera is preserved in the cases of poisoning. It simply indicates that the doctors may have the suspicion that the death may be caused by poisoning as well.

5. Learned counsel for the petitioner further submits that from the bare perusal of the FIR, it becomes crystal clear



that the occurrence took place on 12.06.2025 and FIR has been lodged on 18.06.2024.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case diary has been called for and in the case diary, no material save and except that death is caused by electrocution.

7. As such, in the present facts and circumstances of this case, particularly, going through the order of the Co-ordinate Bench of this Court, in which, bail was granted to the petitioner upon perusal of the *post-mortem* report which transpires that there was *ante-mortem* injury, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Imadpur P.S. Case No. 56 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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