

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2400 of 2025

Arising Out of PS. Case No.-171 Year-2024 Thana- KHARIK District- Bhagalpur

Saurav Kumar @ Saurab Kumar Son of Nityanand Yadav Resident of Village-
Bagdi, P.S.- Kharik, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Adv.

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kharik P.S. Case No. 171 of 2024, dated 28.07.2024, lodged under Section 103(2) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against nine named accused persons, including the present petitioner. It is alleged that while the informant was engaged in agricultural work in the field, the accused persons surrounded the informant's husband (the deceased) and began assaulting him with sticks, pistol, and a rod. The informant's husband (the deceased) attempted to run towards the home to save his life, but the family members of the petitioner surrounded him, took



him behind the door, and killed him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner has a clean criminal antecedent and has been falsely implicated in this case. It is also submitted that the inquest report has been attached, which indicates that the death was caused solely due to the injuries. Additionally, counsel submits that the injury report shows injuries only on the face and right leg of the deceased. Further, counsel submits that according to the post-mortem report, the opinion on the cause of death has been reserved, pending the receipt of the FSL report from Bhagalpur.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the post-mortem report indicates abrasions on the right side of the cheek, neck bone, and right lower leg, with the mouth closed and the eye swollen.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case,



the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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