

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1600 of 2026

Arising Out of PS. Case No.-427 Year-2023 Thana- CHANPATIA District- West Champaran

Sunil Kumar @ Golu Mahto S/o Sitaram Dhangad Resident of Village -
Tikuliya, Ward No-11, P.S.- Chanpatiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-01-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 201 and 120B of the Indian Penal Code.

3. As per prosecution case, informant alleged that on the information that the dead body of his son is lying on a railway track near *Bankat* village with signs of injury, he went there and saw the dead body. It is further alleged that his neighbour, namely *Krishna Mahto*, had taken his son away to *Chanpatiya* as they had land dispute. Informant has firm belief that his son has been killed by co-accused Krishna Mahto.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has



committed no offence. Petitioner is not named in the F.I.R.. Name of petitioner transpired in this case during course of investigation and the only material that has come against this petitioner is that on the alleged date of occurrence, co-accused *Krishna Mahto* visited the house of this petitioner and stayed there for a few moments. Save and except the same, there is no other material on record to show the complicity of this petitioner in the alleged occurrence. Moreover, from bare perusal of the F.I.R. it is apparent that specific accusation of taking away and committing murder of son of informant is against co-accused *Krishna Mahto*, because it was he who took away son of informant and thereafter, his dead body was found on the railway track. It is further submitted that co-accuse *Krishna Mahto* has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 08.05.2024 passed in *Cr. Misc. No. 7157 of 2024*. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on



parity, materials available on record and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 427 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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