

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7388 of 2026

Arising Out of PS. Case No.-377 Year-2024 Thana- KAUWAKOL District- Nawada

1. Ramjee Singh @ Ramjee Prasad Singh S/O Saryoog Singh Resident of Village- Kewali, P.S- Kawakole, District- Nawada.
2. Pappu Singh S/O Lato Singh Resident of Village- Kewali, P.S- Kawakole, District- Nawada.
3. Chandan Singh @ Rajan Kumar @ Chandan Kumar S/O Yogendra Kumar Teyagi @ Yogendra Singh Resident of Village- Kewali, P.S- Kawakole, District- Nawada.
4. Sunil Kumar @ Sunil Yadav S/O Prasadi Yadav Resident of Village- Karma, P.S- Kawakole, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 06-05-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kawakole Police Station Case No. 377 of 2024, dated 29.10.2024, disclosing offences punishable under Sections 103(1)/118(2)/126(2)/115(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 27.10.2024, at about 5 PM, the brother of the informant, namely, Daroga Yadav (now, deceased), along



with co-villager Kundan Kumar left his house on a motorcycle, saying that he is going to the Mukhiya Ramjee Singh, petitioner no. 1. At 7 PM, when the informant called Kundan Kumar on his phone, his mobile was switched off. At about 2 AM, the brothers of Kundan Kumar came to the house of the informant and told him that Kundan Kumar had told them that the petitioners and others assaulted the deceased by sharp cutting weapons and thrown his body in the Ganga Sagar Khanda and the said Kundan Kumar anyhow fled away from there in injured condition. Upon this, the informant, along with his family members, went to Ganga Sagar Khanda and saw his brother in badly injured condition and took him to the sadar hospital, where after first aid, he was referred to AIIMS, Patna. The deceased was admitted in AIIMS, Patna on 28.10.2024 where he died in course of treatment.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The police, after completion of instigation, exonerated these petitioners and were not sent up for trial on the ground that no *prima facie* material was found against these petitioners. However, the learned



Magistrate, differing with the final form, has taken cognizance against these petitioners also. The fact of the matter is that the deceased along with Kundan Kumar were stealing the fishes of Darogi Manjhi and said Darogi Manjhi and his son, Budhan Manjhi saw them and assaulted them by means of danda and iron-rod.

5. Learned Additional Public Prosecutor for the State, referring to the contents of the case diary, submits that the confessional statement of co-accused Budhan Manjhi was recorded by the police on 09.11.2024, in which he has confessed that he, along with his father, assaulted the deceased and Kundan Kumar, and due to the assault made by them, the deceased later on died.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the confessional statement of the co-accused Budhan Manjhi, recorded in the case diary and the fact that the police, after completion of investigation, has not sent the petitioners for trial and charge sheet has been submitted against co-accused Budhan Manjhi and his father, Darogi Manjhi, I am inclined to grant the petitioners privilege of anticipatory bail.



7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada, in connection with Kawakole Police Station Case No. 377 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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