

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11312 of 2026

Arising Out of PS. Case No.-80 Year-2024 Thana- TARABARI District- Araria

Lal Bihari Singh Son of Late Bhonath Singh @ Dhotai Singh Resident Of
Village- Aamgachhi, P.S -Tarabari District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Tarabari P.S. Case No. 80 of 2024 registered for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

3. The case of the prosecution in short is that the petitioner along with others have assaulted the father of the informant with *fists* and *slaps*. After this, the informant advised his father to went to house and he proceeded for *Chapania*. When he returned in the evening, he came to know that his father did not return from '*Thandhua Bandh*', he went there along with the villagers and found the dead body of his father. Hence, the present case.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in the case. He also submits that from perusal of the FIR, it is clear that there is no eye witness of the occurrence. On perusal of the case diary, it is further submitted that the dead body of the deceased was found near electric pole and from perusal of the post-mortem report, it transpires that the deceased had three pointed needle prick like injury marks seen behind the right ear over lateral neck and swelling was found on both sides. Regarding cause of death, the doctor has opined that no definite opinion can be given regarding the cause of death. However, *viscera* is preserved for Forensic and Chemical analysis, if required. He further submits that in *viscera* report, it was found that no metallic object was found. He also submits that only allegation against the petitioner is that he has assaulted the deceased with *fists* and *slaps*. The cause of death is not ascertained. He further submits that the petitioner was acquitted in that case back in the year 1995 by the Hon'ble High Court.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that the petitioner is having criminal antecedent of one case.



6. Considering the nature of allegation against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Tarabari P.S. Case No. 80 of 2024 subject to the condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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