

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16088 of 2026

Arising Out of PS. Case No.-2 Year-2006 Thana- BELHAR District- Banka

Pitambar Das @ Rajiv Kumar Ranjan S/o Jagdish Das R/o Village- Belhar Basti, PS- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 17-06-2026 Heard Mr. Brij Nandan Prasad, learned Advocate for the petitioner and Mr. M. K. Nirala, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 2 of 2006, registered for the offences punishable under Sections 302, 376, 201/34 of the Indian Penal Code.

3. Allegedly on 02.01.2006, a dead body was recovered near Brhua River, which was identified by the Chowkidar and it has later on found that the deceased had consumed poison on account of being reprimanded by the parents. It is further contended that there was rumour in the village that the deceased has developed love affairs with one Karua Das son of Surja Das. The informant asserted that the



accused persons are involved in causing death of the deceased.

4. Learned Advocate for the petitioner submitted that admittedly the petitioner is not named in the FIR and his name has figured on the basis of suspicion being raised as the petitioner belongs to the same vicinity. Since the petitioner has been working in different State and he was not even aware with respect to the pendency of the present case and above all, at no point of time, any process has been issued. Hence, there was no apprehension of arrest and in such circumstances the delay has occurred. It is lastly contended that even if the allegation is taken to be true, hardly it would constitute a case under Section 201 of the Indian Penal Code which is bailable one.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the anticipatory bail should not be entertained in view of the fact the FIR was instituted in the year 2006 itself.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the petitioner has approached this Court after a decade and more, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.



7. However, if the petitioner surrenders before the court below, preferably within a period of four weeks from today, his prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Harish Kumar, J)

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