

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16706 of 2026

Arising Out of PS. Case No.-213 Year-2025 Thana- BAKHTIYARPUR District- Patna

Madan Kumar singh @ Madan Kumar Son of Ramnath singh Resident of
Village- Rupas 17 Bigha Ps- Bakhtiyarpur District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Bakhtiyarpur P.S. Case No. 213 of 2025 lodged on 04.05.2025, for the offence punishable under Sections 103(1), 238 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of A.C.J.M.-III, Barh, Patna.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioner. It has been alleged by the informant that all the accused persons have killed his brother and threw his dead body in the field.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that there is general and omnibus allegation against the petitioner and he has been falsely implicated in this case due to ulterior motive of the informant. He submits that from perusal



of the FIR, it is evident that the informant is not the eye witness of the alleged incident. He further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the present case is lodged under section 103(1) of the B.N.S. 2023 and as per the FIR, the petitioner is named and he alongwith other co-accused persons have brutally murdered the informant's brother.

6. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

7. However, if petitioner surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, 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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