

Arising Out of PS. Case No.-31 Year-2026 Thana- AKBARPUR District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Chandra Bhushan Prasad (APP)
Mr. Sheo Kumar Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-07-2026 1. Heard learned counsel for the petitioner, the
learned counsel appearing on behalf of the informant and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 103(1) and 3(5) of the B.N.S.

3. The Investigating Officer of the case, in compliance of the order dated 30.06.2026, is present in the Court.

4. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that her husband on 16.01.2026 at 800 P.M. had gone to Ranipur Musahri for calling mason and labourers



for plinth casting work which was to commence from 17.01.2026. Further, on 17.01.2026 at 6.30 P.M., she was informed by the villagers about the death of her husband and his dead body was recovered from a place near Marari cremation ground. Further, she alleges that Kapil Sharma had instituted Akbarpur P. S. Case No. 485 of 2025 dated 21.11.2025 against nephew of her husband Vikash, as such, tension was brewing between the family, thus alleges based on suspicion that her husband was killed by Shankar, Suraj Kumar (petitioner) and Arvind by sharp edged weapon. Further, the FIR has been instituted after cremating the dead body.

5. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case based on suspicion. It is next submitted that FIR also came to be instituted after post mortem of the dead body was done, as such, it is alleged that husband of the informant was killed by a sharp edged weapon. It is next submitted that during course of investigation till date, no material has transpired connecting the petitioner with the offence.

6. On query of the Court from the Investigating Officer of the case as to what material transpired during the course of investigation connecting the petitioner with the



offence, the Investigating Officer fairly submits that till date, no material has transpired connecting the petitioner with the offence, but then submits that investigation is continuing.

7. Learned A.P.P. Sri Chandra Bhushan Prasad as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application and submits that since investigation is continuing and if privilege of anticipatory bail is granted, the petitioner may abscond on which the learned counsel appearing on behalf of the petitioner reiterates and submits that petitioner is a person with clean antecedent and if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

8. After hearing the learned counsel for the parties and taking into consideration the submissions made by the Investigating Officer of the case, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Akbarpur P. S.



Case No.31 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that one of the bailors of the petitioner shall be his father, namely Raj Kumar Mistry @ Raj Kumar Sharma.

9. The application stands allowed.

10. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

11. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

12. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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