IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67555 of 2026

CNR No. BRHC010937692026

Arising Out of PS. Case No.-324 Year-2026 Thana- NAUBATPUR District- Patna

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Pramod Ghosh @ Pramod Kumar, S/o- Satyadev Prasad, R/o Village- Motipur, PS- Naubatpur, Dist- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajiv Ranjan, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 06-11-2026 Heard learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Naubatpur P.S. Case No. 324 of 2026 registered for the offences punishable under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The informant states that on 10.05.2026, the informant’s husband did not come to the house even in the night, and on 11.05.2026 at about 6:30 AM, the villagers informed that her husband was brutally beaten with sharp cutting weapons on the head and other parts of the body by unknown persons. The injured was taken to the hospital and referred to AIIMS, Patna where he was put on ventilator, but subsequently he succumbed to the injuries. The villagers and

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others disclosed that the deceased was lastly seen with the petitioner along with others, which led to the institution of the present F.I.R.

4. Learned Advocate for the petitioner submitted that the entire case is based on suspicion, inasmuch as on the date of occurrence, the petitioner was getting his treatment in Medical and Health Department, Rajasthan. To support the aforesaid contention, a certificate duly issued by the Balajee Hospital, Ajmer, Rajasthan along with Diagnosis report have been produced on record as Annexure P/3. It is further contended that there is no eye witness to the alleged occurrence. Even if for the sake of argument, it is to be accepted that the petitioner was lastly seen along with the deceased, it is not the case of the prosecution that it is the petitioner, who brutally assaulted and caused the death of the deceased. Though two criminal antecedents are attributed to the petitioner, however, with respect to one arising out of Naubatpur Case No. 728 of 2022, it is said that the petitioner has been acquitted in the said case.

5. On the other hand, learned advocate for the State vehemently opposes the bail application and submits that during the course of investigation it has transpired that the petitioner was found present along with the deceased in the evening at

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about 6:30 PM and thereafter the villagers received information that the deceased was brutally assaulted by some unknown miscreants and later on, during the course of treatment, he died.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of the fact that the deceased was lastly seen in the company of the petitioner along with other two co-accused persons and soon thereafter the informant's husband was found in injured condition and later on he succumbed to such injuries, during the course of treatment, besides the petitioner is carrying criminal antecedents, as has been disclosed in paragraph no. 3 of the petition, this Court is not acceded to the prayer for anticipatory bail of the petitioner.

7. Accordingly the prayer for grant of anticipatory bail stands rejected.

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

(Harish Kumar, J)

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