

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70660 of 2025

Arising Out of PS. Case No.-515 Year-2022 Thana- GHORASAHAN District- East
Champaran

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Sunny Deval yadav son of Ganesh Ray @ Ganesh Yadav Resident Of Vill-
Agarwa Ps- Jitna Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Ghorasahan P.S. Case No. 515 of 2022 registered for the offences punishable under Sections 302,201,120(B),34 of IPC.

3. As per FIR, petitioner alongwith other named co-accused persons committed murder of grandson of informant by inflicting knife injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the maximum allegation as per FIR which is available against this petitioner is to call grandson of the informant from his home. It is



submitted that other co-accused persons namely, Hiralal Rai and Vijay Kumar @ Vijay Rai who found in gathering near to dead body were granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court through Cr. Misc. No. 30596 of 2025 dated 21.05.2025. It is submitted that police submitted disclosure report *qua* co-accused namely, Hiralal Rai, Vijay Kumar, Pradeep Kumar and Jitendra Kumar but learned Jurisdictional Magistrate taking different view took cognizance against them. It is submitted that in view of aforesaid petitioner being a man of clean antecedent deserves anticipatory bail as no purpose of justice shall be served by sending this petitioner behind bar.

5. Learned APP while opposing the prayer of bail submitted that none of the other named co-accused persons except this petitioner was involved in calling grandson of informant from his home. It is submitted that FIR specifically alleged that this petitioner only called the grandson of the informant from his home. It is pointed



out that moreover, proceedings under Section 83 of Cr.P.C. already completed against this petitioner, who is absconding since lodging of FIR since last two and half years. In connection of aforesaid learned APP drawn attention towards para no. 116 of case diary. The prayer of anticipatory bail petition is not maintainable in view of legal report of Hon'ble Supreme Court as available through ***Srikant Upadhyay and Others Vs. State of Bihar, 2024 SCC OnLine SC 282.***

6. In view of aforesaid as petitioner appears absconder as process under Section 83 of Cr.P.C. concluded against him, coupled with the fact that he appears absconder for last two and half years, accordingly, the prayer for anticipatory bail of this petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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