

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85693 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- Shahpur P.S. District- Nawada

1. Mahendra Singh S/O Late Yugal Singh Resident of village- Sarkatti, P.S.- Shahpur, District- Nawada
2. Juli Devi @ Bhukki Devi W/O Praveen Kumar @ Ram Virendra Singh Resident of village- Sarkatti, P.S.- Shahpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 85741 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- Shahpur P.S. District- Nawada

Praveen Kumar @ Ram Virendra Singh Son of Mahendra Singh R/o Village- Sarkatti, P.S.- Shahpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 85693 of 2025)
For the Petitioner/s : Mr. Siyaram Shahi, Advocate
Mr.Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP
For the Informant : Mr. Birendra Kumar, Advocate
Mr. Kumud Kishore, Advocate
(In CRIMINAL MISCELLANEOUS No. 85741 of 2025)
For the Petitioner/s : Mr. Siyaram Shahi, Advocate
Mr.Anirudh Kumar Sinha, Advocate
For the Opposite Party/state: Mr. Nawal Kishore Prasad
For the Informant : Mr. Birendra Kumar, Advocate
Mr. Kumud Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 419-03-20261. Heard the parties.
2. Since both these applications arise out of the same F.I.R.,
as such, both are taken up together and are being disposed of by



this common order.

3. The petitioners apprehend their arrest in connection with Shahpur P.S. Case No. 94 of 2025 dated 12.09.2025 registered under Sections 126(2) / 115(2) / 117(2) / 109 / 74 / 352 / 351(2) / 3(5) of the Bhartiya Nayay Sanhita, 2026 subsequently vide order dated 08.10.2025 added Section 103(i) of the Bhartiya Nayay Sanhita 2023.

4. As per the prosecution case on 12.09.2025 at about 9:30 Hours while the informant's father was taking breakfast, the petitioners along with other accused persons, total five in number, arrived at the informant's house and started abusing. When the informant's father came out and objected, the petitioners and others accused persons assaulted him with iron rod and khanti due to which he fell down and became unconscious. Subsequently, during course of treatment he died on the next day.

5. Mr. Siyaram Shahi, learned counsel for the petitioners argued that the present F.I.R. has been lodged against entire family member of the petitioners due to previous enmity between the parties inasmuch as earlier Shahpur P.S. Case No. 93 of 2025 was lodged by the petitioner no. 2 in Cr. Misc. No. 85693 of 2025 against the informant, the deceased under



Section 126(2) / 115(2) / 117(2) / 76 / 352 / 351(2) / 3(5) of the B.N.S. (Annexure- P/2). Cause of false implication is further bolstered by the fact that the co-accused Praveen Kumar lodged Shahpur P.S. Case No. 32 of 2024 dated 23.05.2024 for offence under Section 366(A) of the I.P.C. alleging that the daughter of Praveen Kumar was kidnapped by the son of the deceased Ram Shankar Kumar @ Bilan. Police after investigation submitted charge sheet against Ram Shankar Kumar @ Bilan, S/o Prahlad Singh. It has further been submitted that the allegation against the petitioners is general and omnibus in nature and no external injury has been caused to the deceased except only one swelling on the head of the deceased. The petitioner no. 1 is aged about 70 years and petitioner no. 2 is a lady and housewife. The entire family member from the side of the petitioners have been made accused in this case.

6. On the other hand, Mr. Birendra Kumar, learned counsel for the informant as well as learned counsel for the State opposed the prayer for anticipatory bail and submits that petitioners along with other accused persons brutally assaulted the deceased due to which he died in hospital on the very next day of the occurrence. Doctor has opined cause of death due to asphyxia caused by hard and blunt substance in the post



mortem. He next submits that proceeding under Section 82 Cr.P.C. has already been issued against the petitioners.

7. Considering the rival submissions of the parties, taking into consideration the fact that there is general and omnibus allegation against the petitioners, the background of the case in totality coupled with the fact that petitioner no. 1 & 2 in Cr. Misc. No. 85693 of 2025 are 70 years old and is lady respectively, as such, I am inclined to grant anticipatory bail to petitioner no. 1 & 2 namely, Mahendra Singh & Juli Devi @ Bhukki Devi.

8. Let the petitioner no. 1 & 2 in Cr. Misc. 85693 of 2025, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Nawada in connection with Shahpur P.S. Case No. 94 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S.

9. Insofar as Cr. Misc. No. 85741 of 2025 is concerned, the petitioner therein is aged about 34 years of age, the nature of allegation and the fact that process under Section 82 Cr.P.C. has



been issued against the petitioner, as such, I am not inclined to grant anticipatory bail to the petitioner- Praveen Kumar @ Ram Virendra Singh. The anticipatory bail application of Praveen Kumar @ Ram Virendra Singh is rejected.

(Anil Kumar Sinha, J)

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