

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90023 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- KARJA District- Muzaffarpur

Lal Babu Shah S/o- Bhikhar Shah R/v- Pakri Pakohi Ps- Karja Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mukund Mohan Jha, Advocate
For the State : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-02-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 190, 191(1), 191(2), 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, on the alleged date and time of occurrence, informant received informant that all 8 F.I.R. named, including this petitioner and about 50 to 60 unknown accused persons are committing mob lynching. On getting the information, the informant, Sub-Inspector of Police of Karja P.S., along with other police personnel, reached at the house of petitioner and found a person lying dead in semi-naked



condition. On inquiry, the informant came to know that deceased had intruded into the house of co-accused Shambhu Sah whereafter an alarm was raised and all the accused persons caught hold of that person and a crowd of villagers assembled there and they all beaten him to death

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of assault is against co-accused Suraj Kumar and Bhuchul Chaudhary. So far as this petitioner is concerned, there is general and omnibus accusation and no specific accusation of overt act has been alleged against this petitioner. As a matter of fact, petitioner has been made an accused in this case merely because he happens to be co-villager of other co-accused persons. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory



bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Karja P.S. Case No. 126 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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