

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88786 of 2025

Arising Out of PS. Case No.-424 Year-2023 Thana- ATRI District- Gaya

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Babloo Kumar S/o Nandlal Sharma R/o Village - Malbigha P.S- Atri, District
- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Atri P.S. Case No. 424 of 2023 instituted for the offences
under Sections 302, 504, 506, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that due to a dispute
over irrigation of land, the accused persons including the
petitioner allegedly came armed with lathi, danda, khanti and
iron rod, abused and assaulted the informant's husband, causing
his death.

4. Learned counsel for the petitioner submitted that



the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioners that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is further submitted that the dispute arose over irrigation of land, wherein the accused persons including the petitioner, formed an unlawful assembly armed with deadly weapons, assaulted the deceased due to which he died and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence, in my view, this is not a fit case for anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own



merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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