

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90549 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- KAKO District- Jehanabad

Anil Kumar S/O Late Shyam Babu Yadav Resident Of Village- Bharthua, P.s.-
Kako, Bhelawar O.P., Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 5280 of 2026

Arising Out of PS. Case No.-290 Year-2024 Thana- KAKO District- Jehanabad

- 1. Raj Kumar @ Raj Kumar Yadav Son of Vinod Yadav Resident of Village -
Bharthua, P.S. - Kako, Bhelwar O.P., Dist. - Jehanabad.
- 2. Shankar Dayal @ Shankar Dayal Yadav Son of Vinod Yadav Resident Of
Village - Bharthua, P.S. - Kako, Bhelwar O.P., Dist. - Jehanabad.
- 3. Sunil Kumar Son of Late Shyambabu Yadav Resident Of Village - Bharthua,
P.S. - Kako, Bhelwar O.P., Dist. - Jehanabad.
- 4. Madhir Kumar S/o Late Jagjeevan Yadav R/o Village- Ghorhar (Ghorghat)
Salarpur, P.S- Kako, Dist- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 90549 of 2025)
For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Satya Nand Shukla
(In CRIMINAL MISCELLANEOUS No. 5280 of 2026)
For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 29-04-2026 1. Both these applications arise out of Kako (Bhelwar)

Police Station Case No. 290 of 2024, with the consent of

the parties, both these applications are heard together.



2. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, in both the cases.
3. These applications, for grant of anticipatory bail, arise out of Kako (Bhelwar) Police Station Case No. 290 of 2024, dated 14.10.2024, disclosing offences punishable under Sections 103(1)/238/3(5) of the Bhartiya Nyaya Sanhita, 2023.
4. The prosecution case, as per the First Information Report, is that on 10.12.2024, at about 10 PM, the co-accused and co-villagers of the informant, namely, Bhupendra Kumar and Madan Kumar came to the house of the informant and took the informant's son, who knows the work of electrician, with them. When the informant's son did not come back after a long time, the informant called him on his mobile, but his mobile could not be connected. Then, the informant went in search of his son, but he could not be traced, co-accused Bhupendra Kumar and Madan Kumar were also not present in their house. It has further been alleged that the petitioners, along with others, killed the informant's son by shooting him and threw his dead body on the railway track.



5. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this false case. He further submits that the informant has implicated these petitioners merely on suspicion merely because they are the relatives of Bhupendra Kumar and Madan Kumar. There is no eye-witness to the present occurrence. He further submits that the fact of the matter is that there was love relationship between the son of the informant (deceased) and co-villager Anisha Kumari, who is the daughter of the neighbour of the informant, Vijay Prasad and in the night, the deceased came to meet her when the ladies members saw them and the deceased jumped from the roof and fled away. He further submits that the deceased met with a railway accident and died.
6. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that the petitioner is named in the First Information Report itself and the doctor has found bullet injury in the head of the deceased and to give it a case of accident, the accused persons have kept the dead body of the deceased on a railway track.



7. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioners are named in the First Information Report, there is direct allegation against the petitioners that they killed the deceased, from the post mortem report, it is evident that bullet injury has been found in the head of the deceased, the gravity of the offence and severity of the punishment thereof, I am not inclined to grant the petitioners privilege of anticipatory bail.
8. These applications are, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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