

The court of 17th Distt. & Addl. Sessions Judge, Muzaffarpur

A. B. P. No. 1370 / 2026

In the matter Of :

1. Vikki Kumar S/O Ram Balak Mahto
R/O Village. - Ambedkar Nagar Sikandarpur
P.S. - Sikandarpur, Distt. Muzaffarpur ---- Petitioner.
Vs
The State of Bihar ---- Respondent
Crl. Antecedent : NIL (para-3 of bail application)

(In connection with Sikandarpur P.S. Case No. 49/2026)

Counsel for the petitioner : Mr. Deepak Kumar , Ld. Advocate

Counsel for the Respondent : Mr.Dharmendra Kr. Chaudhary Ld. A. P. P.

ORDER

Date : 16/05/2026

1. The above named petitioner seek anticipatory bail in connection with **Sikandarpur P.S. Case No. 49/2026** for offences punishable U/S103, 3(5) BNS.
2. The learned counsel for the petitioner has submitted that he is innocent and he had committed no offence as alleged in the FIR and has falsely been implicated in this case. The petitioner had earlier filed no bail application before this court or before the Hon'ble High Court.
3. The prosecution case in brief is that on 06.03.2026 at about 5 pm, alleging therein that his son Ravi Kumar was living at his Sasural Sikandarpur and further alleged that the petitioner alongwith other co-accused in convenience with each other committed to his son Ravi Kumar tying an hanging. The petitioner has no criminal antecedent as per para – 3 of bail application. Hence, prayer was made to grant pre-arrest bail.
4. Per contra, the Ld. A.P.P. has opposed the bail plea.
5. Rival contentions of the parties were heard and, perused the record. From perusal of the record it appears that the accused petitioner has no criminal antecedent. As per supervision note referred in para – 33 of the case diary, it is a case of suicide. Post-mortem re-

port also records “V” shaped ligature mark on the neck of the deceased, which again suggest towards suicide. There is not a single evidence – direct or circumstantial to suggest that it is a case of murder or to rule out the suspected case of suicide, despite the fact that two months of investigation has already lapsed. Only basis for the allegation of murder is suspicion raised by the family members of the deceased, admittedly with whom, the deceased was not residing. The deceased was residing with his in-laws. Para – 11 and 12 records the statement of independent witnesses, which again suggest suicide and does not indicate any allegation of murder. Description of the P.O. given in para – 8 is also to the same effect. Admittedly, the accused party themselves had taken the deceased to the hospital. Para – 3, 4 and 5 also suggest that information was duly given by the accused party to the informant party and no concealment was done. Last, but not the least, even if it was murder, there is no material to show as to what role this accused petitioner actually performed in commission of such crime. Suspicion, however grave, cannot take the place of proof.

6. Considering the aforesaid facts and circumstances, I am of the considered opinion that the petitioner do deserve the privilege of pre-arrest / Anticipatory Bail and as such, he is directed to be released on furnishing a personal bond of Rs. 10,000/- with two suretie of the like amount. Petition disposed off accordingly. Let the copy of this order be communicated to the concerned Court of Ld. A.C.J.M-VII (East), Muzaffarpur for information and needful.

Sd/-

Anil K. Thakur

17th Distt. & Addl. Sessions Judge,

Muzaffarpur.