

A.B.P. No. 465 / 2026

(Arising out of Harnaut P.S. Case No. 332/2021)

Shiv Shambhu Kumar

V/s.

State of Bihar

Sl. No	Date of order or Proceeding	Order with the signature of the Court	Office action taken with date
1	2	3	4
	07-04-2026	<p>The anticipatory bail petition dated 06.03.2026 received to this Court on 09.03.2026 filed on behalf of the petitioner Shiv Shambhu Kumar, who is apprehending his arrest in connection with Harnaut P.S. Case No. 332/2021 registered u/s 341, 323, 379, 304, 448, 504, 506/34 of the I.P.C., has been placed before me for order after hearing, a copy of it has already been supplied to the learned Addl.P.P.</p> <p>Heard the learned counsel Sri Deepak Kumar for the petitioner as well as the learned Addl.P.P. Sri Amir Singh on behalf of the State.</p> <p>The prosecution story as per the written report of the informant Surendra Prasad, in brief, is that on 31.07.2021 at 2:00 P.M., the accused Shiv Shambhu Kumar, Ashok Kumar and Bablu Kumar came at his door and started abusing and assaulting. The accused Shambhu Kumar assaulted his mother with iron rod by which she sustained injury. The accused Ashok Kumar caught her hand and snatched her gold chain worth Rs. 52,000/-. The accused Bablu Kumar broke the lock of the box and took away cash. It has been further alleged that the accused persons are of criminal nature and they threatened to vacate the house otherwise, they will kill them and also drag in false cases.</p> <p>The learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence rather he has falsely been dragged and implicated in the present case. The case has been instituted u/s 341, 323, 379, 448, 506/34 of the I.P.C. and after death of the deceased Section 304 IPC has been added. There is no specific allegation against the petitioner with respect to assault and causing injury to the deceased. During course of investigation, the petitioner has been given benefit by the police u/s 41(1) Cr.P.C. and after investigation and supervision and death of the deceased Section 304 IPC has been added. The petitioner and informant are close-door neighbours and there has been dispute with respect to land and simply on account of that this false case has been cooked up. The petitioner has also been an accused in connection with Complaint Case No. 1032C/2018 and Harnaut P.S. Case No. 335/2021. On these facts, he prayed that the petitioner be granted anticipatory bail.</p> <p>The learned Addl.P.P. opposed the prayer for anticipatory bail.</p> <p>Having gone through the case record, it appears that this case has been registered U/s 341, 323, 379, 304, 448, 504, 506/34 of the I.P.C. and during investigation after the death of the informant's mother Section 304 IPC was added. The allegation against the petitioner is that he assaulted the mother of the informant, an old lady aged about 72 years, with iron rod by which she sustained injury and later on she died. From perusal of the case diary it reflects that the</p>	

COURT OF ADDITIONAL SESSIONS JUDGE IInd, NALANDA AT BIHAR SHARIF

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	Contd. 07-04-2026	<p>witnesses in their statement have supported the allegation of the prosecution vide para- 3, 4, 8 & 9. Also, the doctor has opined that the cause of death could not be fully ascertained by Postmortem and Vescera report in this case, however, cause of death may be due to severe pain caused by multiple blunt (bruise) injury found over the body resulting sympathetic stimulation and cardiovasscuar arrest.</p> <p>Thus, considering the aforesaid facts and circumstances of the case, I am not inclined to admit the petitioner Shiv Shambhu Kumar on anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected.</p> <p align="right">(Dictated & corrected) Sd/- (Khyati Singh) Addl. Sessions Judge 2nd Nalanda at Bihar Sharif</p> <table border="1"> <tr> <td>Date of Judgment/Order</td> <td>07-04-2026</td> </tr> <tr> <td>Date of Reserving Judgment/Order</td> <td>-</td> </tr> <tr> <td>Date of Uploading</td> <td>08-04-2026</td> </tr> <tr> <td>Uploaded by</td> <td>kundan</td> </tr> </table>	Date of Judgment/Order	07-04-2026	Date of Reserving Judgment/Order	-	Date of Uploading	08-04-2026	Uploaded by	kundan	
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