

**In the Court of Additional Sessions Judge-I, Masaurhi**  
**Anticipatory Bail Petition No.571/2025**  
**[Masaurhi P.S.Case No.59/2013]**

1. **Vijay Prasad @ Vijay Rai**, aged about 52 years, S/o- Sakaldeep Ray.  
R/o-Village-Anandpur, P.S. Anand put, District- Patna.

..... Petitioner

**Versus**

1. State of Bihar through Addl. Public Prosecutor

..... Opposite

Party

Anticipatory Bail Petition Under Section 482 & 484 of BNSS

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**For the petitioner/s** : Mr. Sanjay Kumar, Ld. Advocate

**For the O.P. State** : Mr. Dhananjay Kumar, Addl. P.P.

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**ORDER**

**Dated: 24.04.2026**

This anticipatory bail petition has been filed on behalf of the petitioner namely **Vijay Prasad @ Vijay Rai**, who is apprehending his arrest in connection with **Masaurhi P.S. Case No.59/2013** for offence punishable **U/s 302, 201/34 of IPC** which is pending in the court of the SDJM, Masaurhi, is being pressed today and heard.

The case of prosecution on the basis of written information given by the Bharat Mochi is that his son, Sunil Kumar, aged about 14-15 years was often employed by co-villager Saryug Yadav on his tractor, which belonged to kiln owner Vijay Prasad. On 22.12.2013, at about 2:00 PM., Saryug Yadav took his son Sunil Kumar to work at the kiln. When his son did not return home that evening, as usual, he went to his house to inquire, and his family informed him that Saryug Yadav had not yet returned. As it was late at night, they inquired with the people nearby and went to sleep. At 07:00 A.M., he got an information from his elder son Umesh Mochi that the tractor in which Sunil had gone with Saryug Yadav was overturned with all four wheels up in a ditch about 40 feet below the Dargha river. Both of Sunil's slippers were kept there, but there was no trace of him. They started searching again. There was no trace of Saryug Yadav either, when at about 10:00 A.M., someone informed over the phone that a boy from Berra was lying dead on the railway track near a Peepal tree near Nadwan station, cut from the chest. After

getting this information, he went to Nadwan with his villagers and identified his son, the deceased Sunil Kumar, who was lying dead on the railway track, cut from the chest. There was not even a scratch anywhere else on the body, which made him believe that Saryug Yadav, kiln owner Vijay Prasad and two-four other unknown people together murdered his son Sunil Kumar with wrong intentions and to disappearance of evidence, they placed him on the railway line near Nadwan, due to which his body was cut into two halves from the chest and to give a new turn to the case, they dropped the tractor into the river and left it there.

Learned counsel appearing on behalf of petitioner has submitted that petitioner has never moved earlier any bail petition either anticipatory or regular before this Court or before the Hon'ble Court. Petitioner has got no criminal antecedent mentioned in para-3 of bail petition. Petitioner is quite innocent has falsely been implicated in this case. It is stated that from the perusal of the FIR the allegation against the petitioner is that he called for the deceased for work brick kiln only on that basis the police has implicated this petitioner in the present case. Petitioner has not arrested at the spot and nothing incriminating articles were recovered from the possession of this petitioner. The deceased died after the tractor turned over in the river and the co-accused has put the dead body of deceased at the railway line and tried to give a different colour of this story. Alleged occurrence taken place on 23.12.2013 and the FIR was lodged on 26.12.2013 and there is inordinate delay of three days which shows that after thought this case has been lodged. The tractor and brick kiln owner is co-accused Vijay Prasad. Petitioner is a brick owner and the deceased was labour. Petitioner is willing to accept any condition as imposed by court. Petitioner is ready to furnish sufficient sureties.

On the other hand the learned Addl. P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners abovenamed.

Heard both sides and perused the case record as well as the original and supplementary case diary. The petitioner is named in the FIR as revealed from para 32 of the supplementary case diary. The postmortem of the deceased shows three antemortem injuries. In the supervision report, supervisory authority is also found the case true against the petitioner vide para 29, dated 02.04.2014 of the CD. The petitioner has been absconding since about 12 years whereas, the other co-accused Saryug Yadav is facing trial.

*Sri Sankash Chandra, Addl. S.J-I, Masaurhi  
Anticipatory Bail Petition No.571/2025  
Vijay Prasad @ Vijay Rai. Vs. State of Bihar  
Order dated-24.04.2026*

Considering the aforesaid fact an circumstances, this is not apt case to grant privilege of anticipatory bail in favour of petitioner, hence his prayer for anticipatory bail is hereby **Rejected**. Accordingly, aforesaid bail petition is hereby disposed off.

Let a copy of this order be sent to the court concerned.

**(Dictated)**

**Sd/-**

**(Sankash Chandra)  
Addl. Sessions Judge-I,  
Masaurhi**