

IN THE COURT OF DISTRICT & A.S.J.-III, VAISHALI AT HAJIPUR

A.B.P. NO. 1016 of 2026

Arising out of Baligaon P.S. Case No. 193/2025

U/ss – 103(1), 61(2), 238, 3(5) of B.N.S.

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**Guddu Kumar @ Guddu Kumar Singh, S/o: Awdhesh Singh**..... **Petitioner****Versus****The State of Bihar**..... **Opposite Party**

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**Appearance :****For the petitioners : Sri Manoj Kumar Prasad, Ld. Adv.****For the State : Sri Ramnath Mahto, Ld A.P.P.**

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A.B.P. NO. 1017 of 2026

Arising out of Baligaon P.S. Case No. 193/2025

U/ss – 103(1), 61(2), 238, 3(5) of B.N.S.

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**Krishna Devi, W/o: Awdhesh Singh**..... **Petitioner****Versus****The State of Bihar**..... **Opposite Party**

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**Appearance :****For the petitioners : Sri Manoj Kumar Prasad, Ld. Adv.****For the State : Sri Ramnath Mahto, Ld A.P.P.**

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**08.07.2026****ORDER**

1. Heard, Both the anticipatory bail petitions of accused/petitioners filed separately but heard together since Both are arising out of same P.S. **Baligaon P.S. Case No. 193/2025, U/ss – 103(1), 61(2), 238, 3(5) of B.N.S.**

2. The Ld. Advocate on behalf of the petitioners, namely, **(1) Guddu Kumar @ Guddu Kumar Singh, (2) Krishna Devi**, pressed the anticipatory bail petitions and submitted that petitioners have not moved any bail petition either anticipatory or regular bail before this Ld. Court or before the Hon'ble High Court, Patna earlier. That petitioners have no criminal antecedent. That, petitioners are quite innocent and have not committed any offence and have falsely been implicated in this false and fabricated case due to mere suspicion to

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| <b>08.07.2026</b> | <p>harass, humiliate, and pressurise petitioners to take undue advantage. That, whole prosecution case is false and concocted and petitioner's name surfaced in this case due to mere suspicion. That, petitioners have three brothers and all three brothers reside separately in their respective homes. Further more the division of landed property among the three brothers has already been effective earlier, regarding which the local surpanch has given certificate on letter head on 23.04.2025. That petitioners reside separate from his brothers and live in the Samastipur city with his family and works as an electrician in a service center and on the date of occurrence petitioner was attending his duties at his work place in Samastipur, regarding which the proprietor of service center has given certificate in this regard. That the deceased has suffered from epilepsy for a long time, due to which she had been advised by doctor to stay away from fire, water and river. On the day and at the time of incident. She went to the river bank for some work at that very moment, she suffered in epileptic seizure (attack), slipped and fell into the river and subsequently died by drowning in the river. That, the deceased Nirmala Devi has previously suffered from epileptic siezures on multiple occasion and also suffered from mental illness, during which she would verbally abused and villagers in connection with this the villagers had lodged written complaints with local police on 27.04.2018 and 09.05.2023. That there is no specific allegation against petitioner and the whole case has been cooked up with fake story with ulterior motive and petitioner never paticipated in the so-called occurrence as alleged by the porsecution nor has got any concern with the said occurrence. That, offences U/Ss 103(1), 61(2), 328, 3(5) of B.N.S., 2023 are not attracted against petitioners. That there is no any direct allegation against petitioners. That innocent petitioner may be apprehended by the police and his liberty may be infringed and for this, the petitioner is being filed. That petitioners are ready to abide by conditions as laid down U/s 482(2) of the B.N.S.S., 2023 as well as other conditions as imposed by your honours deems the same fit and proper. That,</p> |
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| 08.07.2026 | <p>petitioners are a men of means and they are ready to furnish bail bond with sound sureties and there is no chance of his absconding or tampering with evidence.</p> <p>3. Ld. A.P.P. vehemently opposed the anticipatory bail petitions, and submitted that the petitioners are named in the F.I.R., there is direct and specific allegations against them. The case is found true against these accused-petitioners. Cognizance of the offence has been taken by Ld. J.M 1<sup>st</sup> Class, against other co-accused and These Petitioners are absconding.</p> <p>4. As per written application of Informant-<b>Dhanwanti Devi</b>, the prosecution's story in short is that, her daughter Nirmala Devi was married to Rajiv Kumar about 18 years ago as per Hindu customs and traditions. Since then, for about 10 years, the life of the husband and wife was going well, but a few years ago, he married a woman from the same village. Then, the second marriage was opposed by first wife Nirmala Devi. The boy wanted to keep the second wife in the same house, which was opposed by informant's daughter, due to which on 11.12.2025, at about 10:00 in the morning, she got information that her daughter was murdered and body was thrown in the Nun river with the intention of hiding it by these people (1) Awdhesh Singh, (2) Rajiv Kumar, (3) Guddu Kumar, (4) Ashok Singh, (5) Mother-in-law of the deceased, all of them have killed her by hitting her with an iron rod. Informant afraid that they may killed her grandson and granddaughter also. All the named persons have killed her daughter doing conspiracy.</p> <p>5. Heard both the parties Perused the L.C.R., C.D. and supplementary C.D. In C.D. Para-2 inquest report of deceased has been mentioned, as per this report police found injury mark on the body of the deceased, the reason of death occurred due drowning after being beaten. In C.D. Para-4 re-statement of informant has been mentioned, she supported her case. In C.D. Para-8 witness Pintu Kumar's statement is mentioned, he supported the prosecution's case. In C.D. Para-9 witness Pankaj Kumar's statement is mentioned, he supported the</p> |
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| <p><b><u>08.07.2026</u></b></p> | <p>prosecution's case. In C.D. Para-33 supervision report of S.D.P.O. Mahua is mentioned, according to this report the case is found true against these accused-petitioners U/s 103(1), 61(2), 238, 3(5) B.N.S.. In C.D. Para-37 post-mortem report is mentioned, according to this report cause of death can not be ascertained during the post-mortem examination. Therefore, relevant organs were preserved and sent to the FSL for forensic analysis. Final opinion regarding the cause of death has been kept reserved. After investigation police submitted the chargesheet against co-accused. Congizance of the offence has been taken by Ld. J.M. 1<sup>st</sup> class against co-accused of this case. As per supplementary C.D. Para-17, accused-petitioners are absconding.</p> <p>6. Hence, in the light of above said, I am not inclined to grant the privilege of anticipatory bail to these accused-petitioners, the same is hereby, <b>Rejected.</b></p> <p>7. O/C will send the copy of this order along with L.C.R. to concerned Ld. Court below for kind information and needful.</p> <p>8. The Steno is directed to upload the order on the C.I.S.</p> <p style="text-align: right;">District &amp; Addl. Sessions Judge-III,<br/>Vaishali at Hajipur,<br/>08.07.2026</p> |
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