

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18970 of 2025

Arising Out of PS. Case No.-469 Year-2024 Thana- DARIYAPUR District- Saran

Suresh Sah S/o Late Shivnath Sah Resident of Village- Mahammadpur, P.S.-
Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-04-2025 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 103 and
3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the petitioner submits that
petitioner has one antecedent under the Excise Act and the
informant alleges that her brother on 20.08.2024 informed her
that on 19.08.2024 at 01:30 pm Bahadur Mahto and petitioner
took her husband from his shop and her husband did not return
in the night. Further, in the morning, villagers saw the
electrocuted dead body of the husband of the informant lying
behind a school near the temple of Lord Shiva. Further, alleges
that her husband along with her brother were running a shop and
her husband was killed by the named accused persons including



the petitioner as her husband had kept 19 dhurs of land of Bahadur Mahto by way of mortgage.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant based on surmises and conjectures. It is further submitted that neither the brother of the informant nor the informant is an eyewitness to the occurrence. It is next submitted that from perusal of the FIR itself, it would manifest that the electrocuted body of the deceased was found lying near a school. It is also submitted that even presuming what has been alleged is true without admitting then the informant herself alleges that deceased was having dispute with Bahadur Mahto. It is submitted that nothing has come during the course of investigation which could even remotely connect the petitioner with the offence except suspicion. It is further submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dariyapur P.S. Case No. 469 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned trial court that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

