

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39234 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- MAIRWAN District- Siwan

=====

Guddu Kumar Son of Late Virendra Ram Resident of Village- Semra, PS-
Mairwa, Distt.- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Kumari Anupam, Adv
For the State : Mr. Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner, and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Mairwa P.S.Case No. 47 of 2025 registered for the offences
punishable under Section 140 (3), 103(1), 238, 61 of BNS.

3. As per allegation, the husband of the informant was
going to the house of Manawati Devi and when he did not return
till late night, the informant inquired from Manawati Devi and
she came to know that he had not gone there. Hence, the
informant has filed the written report to the police. In the course
of investigation, the dead body of the husband of the Informant



was recovered. However, as per the postmortem report cause of death could not be ascertained and viscera was preserved and sent for report.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The FIR has been lodged against unknown persons and the Petitioner has nothing to do with the alleged offence. He also submits that there is no cogent material on record against the Petitioner except the so called confessional statement of co-accused, Ajay Kumar Ram, before the police, which is inadmissible in eye of law.

5. It is also stated in paragraph-2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It is also stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. Learned APP for the State vehemently opposes the anticipatory bail.

8. Considering the fact that except the inadmissible confessional statement of the co-accused before the police, there is no other material which could connect the petitioner with the alleged offence, **this petition is allowed**, directing the above



named, petitioner, be enlarged on bail, in the event of his arrest/
surrender within a period of eight weeks from today on
furnishing bail bonds of Rs 10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the learned
Additional Chief Judicial Magistrate-V, Siwan in connection
with Mairwa P.S. Case No. 47 of 2025, subject to condition as
laid down under Section 482(2) of the B.N.S.S., and on the
following conditions;-

(i) In case, it is brought to the notice of the court
below that the petitioner has any criminal antecedents other than
the disclosed one, learned court below shall cancel the bail
bonds of the petitioner after hearing him and getting satisfied
that the petitioner has concealed his criminal antecedents despite
his knowledge of the same.

(ii) In case, it is brought to the notice of the court
below that the statement regarding previous bail petition is
wrong. Learned court below shall cancel the bail bonds of the
petitioner.

(Jitendra Kumar, J.)

N.K/-

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

