

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42233 of 2025**

Arising Out of PS. Case No.-340 Year-2024 Thana- BHAGWANPUR HAT District- Siwan

---

1. Dharmendra Rai @ Dharmendra Kumar Yadav S/O Jagarnath Rai Resident of Vill- Brahmasthan, P.S-Bhagwanpur, District- Siwan.
2. Neeraj Kumar @ Niraj Rai S/O Birendra Rai Resident of Vill- Brahmasthan, P.S-Bhagwanpur, District- Siwan.
3. Rohit Kumar S/O Rajkishor Rai Resident of Vill- Brahmasthan, P.S-Bhagwanpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Ms. Kumari Anupam  
For the Opposite Party/s : Ms. Anita Kumari

---

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      09-07-2025                      1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 61, 3(5) of the B.N.S.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that his son on 14.08.2024 at 8.00 P.M. had gone for evening walk but did not return, thereafter on 15.08.2024 informant got an information from villagers that his son was killed and his dead body was hanged by a tree, accordingly, he



reached the place of occurrence and saw the dead body of his son hanging, further alleges that wife and mother-in-law of the deceased had threatened to kill his son, next alleges based on suspicion that prior to the occurrence informant's co-villagers Raj Kishore Rai, Dharmendra Rai, Neeraj Kumar and Rohit Kumar had assaulted his son and had threatened to kill him.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that deceased was having dispute with his wife, on account of which, he was threatened by his wife and mother-in-law. It is next alleged that based on suspicion, the petitioners have been implicated alleging that they had assaulted his son earlier and had threatened to kill him. It is also submitted that petitioners and the informant are patidar and a land dispute is pending between them, for which, Title Suit No.942/2023 has been filed. The learned counsel next submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Bhagwanpur P.S. Case No.340/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. It is further made clear that if charge sheet is submitted connecting the petitioners with the offence, in that event, the present anticipatory bail order shall loose its effect.

**(Satyavrat Verma, J)**

amit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

