

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56687 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- MUSAHARI District- Muzaffarpur

1. Shyam Sah @ Shyam Kumar son of Makhan Sah Resident of Village- Ratanpur, Ps- Garaha, Dist- Muzaffarpur P/A- Village- Maithi Near Power House, Ps- Gaighat, Dist- Muzaffarpur
2. Prem Shankar Sah @ Bikau Sah son of Late Dorik Sah Resident of Village- Tilaktajpur, Tole Ramnagra, Ps- Runnisaidpur, Dist- Sitamarhi P/A- Village- Maithi Near Power House, Ps- Gaighat, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 103(1), 238, 3(5) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that on 01.02.2025 at about 7:30 PM, during patrolling, informant received information that three persons were fleeing away on a Scorpio towards Aathar after throwing a dead body. When informant along with the police party reached near the said village, huge gathering of villagers was seen assaulting a person and setting ablaze Scorpio vehicle. It is further alleged that during chase,



two out of three persons managed to escape and the apprehended person disclosed the name of these petitioners as his associates.

4. Learned counsel for the petitioners submits that petitioners are named in the F.I.R. on the basis of confessional statement of co-accused who was apprehended on the spot. At best, allegation against petitioner no. 1 is that he along with other accused persons were disposing the dead body of a lady on direction of petitioner no. 2. It is not the case that these petitioners killed the deceased. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Muzaffarpur, East in connection with Mushahari P. S. Case No. 12 of 2025, subject to condition as laid down under Section



482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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