

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62865 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- ALAMNAGAR District- Madhepura

1. Durgesh Singh S/O Babujan Singh R/O Village- Kenyari Basa, Alamnagar, Ward No. 5, P.S- Alamnagar, Distt.- Madhepura.
2. Manoj Singh S/O Babujan Singh R/O Village- Kenyari Basa, Alamnagar, Ward No. 5, P.S- Alamnagar, Distt.- Madhepura.
3. Bittu Kumar S/O Dilip Singh R/O Village- Laualagan Pashchimi, Ward No. 13, P.S- Chausa, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha
For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-09-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 103, 238, 61(2) and 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioner nos.1 and 2 have antecedent of two cases under the Excise Act. It is also submitted that once an accused is implicated in a case relating to excise the police starts implicating mechanically and petitioner no.3 is a person with clean antecedent and the informant alleges that his son was



staying in the house of his in-laws for the last 45 days and worked on computer. Further, on 18.03.2025, he called his uncle and informed that he is not allowed to sleep in the house. It is next alleged that his son was killed by nine named accused persons including the petitioners.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant being cousin father in-law, father in-law and brother in-law (Sardhu) of the deceased. It is further submitted that deceased was in love with the daughter of petitioner no.2 and performed his marriage with her, which was being objected by the informant, as such, he was staying in the house of his in-laws and was having a computer shop. It is also submitted that deceased married the daughter of petitioner no.2 in the Year 2023 and out of the wedlock, a child was born and the deceased was leading a happy married life. It is next submitted that no doubt, a suspicion is alleged against the petitioners in the FIR regarding killing of the deceased, but then, informant is not an eye witness to the occurrence nor any motive is alleged in the FIR which propelled the accused to commit the occurrence. It is also submitted that it does not appear probable that the in-laws and brother in-law of the deceased along with other family



members would have killed the son of the informant and thereafter, making their own daughter/sister a widow, more so when a child was born. It is also submitted that petitioners will not abscond rather would cooperate in the investigation to prove their innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

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, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Udakishunganj at Madhepura in connection with Alamnagar P. S. Case No.96 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the



investigation or are not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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