

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64834 of 2025

Arising Out of PS. Case No.-44 Year-2022 Thana- DURAULI District- Siwan

1. Manisha Kumari @ Manisha Devi W/O Kedar Sahani Resident of Village-Gauri, P.S.- Darauli, Dist.- Siwan
2. Gorakh Sahani @ Anuj @ Anup @ Ramnuj Sahani @ Anup Sahani S/O Subash Sahni R/O Vill.- Bhuia, P.S.- Sikandarpur, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Udit Narayan Singh, Advocate
For the State : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 201, 120B and 34 of the Indian Penal Code.

3. Allegation in the F.I.R., arising out of a complaint, is that nephew of informant, who was married to Petitioner No. 1, was done to death.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. The present complaint petition has been lodged on 25.01.2025, i.e. after inordinate delay of more



than 3 months and 10 days, for an occurrence which took place on 16.10.2021 and the present F.I.R. was instituted on 16.02.2022 and there is no plausible explanation for the delay. From bare perusal of the complaint it is apparent that informant is not an eye witness to the alleged occurrence and only suspicion has been raised against this petitioner. Save and except suspicion, there is no material on record to show the complicity of this petitioner in the alleged occurrence. During course of investigation, none of the witnesses have claimed to have seen this petitioner committing the offence. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 28.07.2025 passed in Cr. Misc. No. 3646 of 2025. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.



7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners 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 learned Judicial Magistrate 1st Class, Siwan in connection with Darauli P.S. Case No. 44 of 2022, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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