

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68155 of 2025

Arising Out of PS. Case No.-773 Year-2024 Thana- SIWAN CITY District- Siwan

Anwar Ali S/o Manjoor Miya @ Manjur Ali R/O Mohalla - Makdoom Sarai,
Lehra Toli, P.S.- Sarai, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Advocate
Mr.Birottam Narayan Singh, Advocate
Mr.Sumit Kumar, Advocate
Ms.Ritika Kumari, Advocate
Mr.Pranav Bhaskar, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-12-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with

Sarai P.S. Case No. 773 of 2024 registered for the offences under

Sections 103, 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short,
the ‘B.N.S.’).

3. The accused/petitioner is named in the First

Information Report and is in custody since 16.12.2024.

4. As per FIR, the husband of the informant alongwith

one of his associate was killed by the villagers. It is alleged that

deceased was called by this petitioner and others from the house
of informant.

5. It is submitted by learned counsel appearing on behalf



of the petitioner that informant is not the eye witness of the actual occurrence and he was implicated in the present case only for the simple reason that he had called the petitioner from his home. It is submitted that even this opening statement of FIR is also doubtful in view of Sarai P.S. Case No. 771/2024 and Sarai P.S. Case No. 772/2024 for the reason that for the same set of occurrence, the first FIR i.e. Sarai P.S. Case No. 771/2024 was lodged by police with information that some unknown miscreants entered into the house of petitioner for demanding ransom and was killed by local villagers/neighbours under protest.

6. It is submitted that immediately thereafter Sarai P.S. Case No. 772/2024 was lodged by this petitioner against the deceased husband of the informant and others and, therefore, being an afterthought, to save herself and family members, the present false case was lodged by the wife of deceased which was registered as Sarai P.S. Case No. 773/2024 implicating the petitioner, who himself otherwise is the victim of circumstances.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.



8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as admittedly informant is not the eye witness of the occurrence and for the same occurrence firstly the police and secondly the petitioner lodged the case implicating the husband of the informant to demand ransom, coupled with the fact that petitioner, who is a man of clean antecedent, remains in custody since 16.12.2024, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan/concerned court, in connection with Sarai P.S. Case No. 773 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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

