

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4343 of 2026

Arising Out of PS. Case No.-93 Year-2023 Thana- KESARIA District- East Champaran

Tuntun Ram Son of Late Garbhu Ram Resident of Village- Derwan Mathiya,
P.S.- Kesariya, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 323, 341, 302, 34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 11.10.2019 at about 5:30 P.M. the daughter of the complainant was in the house. In the meantime, all the F.I.R. named accused persons entered into the house of complainant and committed murder of her daughter. The son of complainant informed her about the incident whereupon she came back to her house and the accused persons also assaulted her.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. has falsely been implicated in this case due to dispute between the co-sharers. The petitioner is co-sharer and next door neighbour of the complainant. He further



submits that occurrence had taken place on 11.10.2019 and from perusal of the complainant-cum-first information report it appears that the complainant is not an eye witness. Post mortem was conducted on the dead body on 12.10.2019 and first time complaint has been filed by the complainant on 18.10.2019 i.e., after a lapse of seven days and subsequently, the learned Magistrate directed for lodging F.I.R. under Section 156(3) Cr.P.C. Petitioner claims clean antecedent.

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

6. Considering backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his 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) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Kesariya P. S. Case No. 93 of 2023, subject to condition as laid down under Section 482(2) of the BNSS.

(Prabhat Kumar Singh, J)

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