

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8384 of 2026

Arising Out of PS. Case No.-211 Year-2025 Thana- GHORASAHAN District- East
Champaran

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1. Sunil Kumar Son of Late Deonarayaan Prasad R/o Village - Ghorahasan, P.S. - Ghorahasan, Dist. - East Champaran.
 2. Shyam Kumar Son of Late Deonarayan Prasad R/o Village - Ghorahasan, P.S. - Ghorahasan, Dist. - East Champaran.
 3. Ramakant Prasad Son of Late Rambalak Prasad R/o Village - Ghorahasan, P.S. - Ghorahasan, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvan Kumar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Ghorasahan P.S. Case No. 211 of 2025 lodged on 03.07.2025, for the offence punishable under Sections 103 & 61(2)(a) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of S.D.J.M. Dhaka, East Champaran.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners.



The informant has stated that she and her 15-year-old daughter doing maid work. On 01.07.2025 at around 8 pm, her daughter did not return home. Thereafter, she went to the houses where she worked, looking for her. When the informant finally reached Sanjay Kumar's house, she found her daughter's slippers at the main gate and the door was locked from the outside. The informant started screaming loudly, and people from the neighbourhood gathered. At that very moment, the police arrived, opened the main gate, and went inside and found her daughter's body hanging from a fan in Sanjay Kumar's bedroom. The police took down her daughter's body and took it to Sadar Hospital, Motihari, for post-mortem examination. The informant further claims that all the named accused persons have murdered her daughter with wrong intentions under a conspiracy.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners have been falsely implicated in this case. He further submits that the police has broken the door and recovered the dead body in presence of several local persons. He submits that there is no evidence against the petitioners. Counsel also submits that the petitioner



nos.1 & 2 have clean antecedent, whereas, the petitioner no.3 has three criminal antecedents.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that in the rejection order, it has been acknowledged by the Sessions Judge that in para 4 of case diary, inquest report is mentioned in which cause of death appears to have occurred due to strangulation. In para 5 of the case diary, FSL report is mentioned in which type of crime is murder/suicide. Informant in her re-statement at para no.6 and other prosecution witnesses in para 7, 10, 11 of the case diary have supported the case of prosecution. In para 23 of the case diary, post-mortem report is mentioned in which cause of death is Asphyxia due to hanging.

6. In the present facts and circumstances and upon perusal of the case diary, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners are hereby rejected.

7. However, liberty is granted to the petitioners that if they surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on their surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail



of the petitioners has been rejected by this Court and the Trial
Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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