

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8310 of 2026

Arising Out of PS. Case No.-13 Year-2020 Thana- MUFFASIL District- Aurangabad

Shiv Dayal Singh @ Sheo Dayal Singh, Son of Late Birbal Singh, R/o village Karma Kala, P.S.- Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manikant Rai Son of Late Kamal Narayan Rai Resident of village - Mahawa, P.S.- Biraul, Darbhanga, At present- A.S.I.. Navinagar Police Station, Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Advocate
For the O.P. No. 2	:	Ms. Sama Akhtar, Advocate
For the State	:	Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 24-06-2026 Heard Mr. Ashok Kumar Singh, learned counsel appearing on behalf of the petitioner; Ms. Sama Akhtar, learned counsel for the O.P. No. 2 and Mr. Rajendra Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Mufassil P.S. Case No. 13 of 2020 registered for the offence punishable under Sections 341, 323, 379, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, while the informant was posted as a Police Sub-Inspector at Goh Police Station and was serving as the Investigating Officer (I.O.) of Goh P.S. Case No. 53 of 2016, he met the petitioner and his son, who had allegedly lured the informant that they will help him in establishing a rice mill.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that petitioner, who is 79 years old, denies the allegation alleged against him, however, he admits that as per the FIR, the informant had entered into an agreement with his son co-accused Mohan Kumar, who has already been released on pre-arrest bail *vide* order dated 18.06.2025 passed by a co-ordinate Bench of this Court in Cr. Misc. No. 35453 of 2025. On these grounds, petitioner seeks to be released on pre-arrest bail as the petitioner has no concern with the affairs of his son, nor, he is witness to the agreement.

5. Learned counsel appearing on behalf of the informant submitted that petitioner's complicity in the alleged offence cannot be denied and it is admitted that his son has agreed to establish a rice mill and for that he had received a sum of rupees five lac from the informant and joint liability co-exist, as such, the petitioner don't deserve to be released on pre-arrest bail.

6. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail.

7. Having heard the rival submissions made on behalf



of the parties, as well as, having considered the allegation made in the FIR, I am aghast to see that a police officer, who was Investigating Officer at the relevant point of time, had proceeded to engage himself in a private business, for which, he had entered into an agreement with the son of the petitioner, namely, Mohan Kumar, who has already been released on pre-arrest bail *vide* order dated 18.06.2025 passed by a co-ordinate Bench of this Court in Cr. Misc. No. 35453 of 2025. I find that petitioner, who has denied that he is witness to the said agreement, has, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Mufassil P.S. Case No. 13 of 2020, subject to the condition as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is



pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

10. Let a copy of this order be communicated to the Director General of Police, Bihar for taking necessary action against the informant.

11. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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