

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13659 of 2026

Arising Out of PS. Case No.-665 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

1. Manoj Kumar @ Manoj Kumar Srivastava S/o- Mahendra Lal R/v- Gaushala Pakadi More Ps- Mahadeva Dist- Siwan
2. Rohit Shrivastava @ Rohit Kumar S/o- Manoj Kumar @ Manoj Kumar Srivastava R/v- Gaushala Pakadi More Ps- Mahadeva Dist- Siwan
3. Manisha Shrivastava W/o- Late Karn Kumar Shrivastava @ Late Karan Srivastava, D/o- Manoj Kumar @ Manoj Kumar Srivastava R/v- Gaushala Pakadi More Ps- Mahadeva Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aakash Choudhary

For the Opposite Party/s : Mr. Jai Narain Thakur
Mr. Birottam Narayan Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 18-05-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. After some arguments, learned counsel for the petitioners seek permission to withdraw this application as against the petitioner nos.2 and 3.

3. Permission is granted.

4. Accordingly, the instant application as against the petitioner nos.2 and 3 is dismissed as withdrawn.

5. Now, the anticipatory bail application is being heard only with respect to the petitioner no.1.

6. The petitioner apprehends his arrest in



connection with Mufassil (Mahadeva O.P.) P.S. Case No.665 of 2025, dated 13.09.2025, registered for the offence punishable under Sections 126(2), 115(2), 103, 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

7. As per the FIR, the petitioner, in connivance with other accused persons, is said to have murdered the brother of the informant.

8. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been made an accused in the instant case merely on the basis of suspicion. It is further submitted that the deceased was taken to hospital for treatment and there is neither any allegation in the FIR nor any material on record to show that the death has been declared homicidal so as to support the prosecution story. The petitioner, namely, Manoj Kumar is the father of the petitioner nos.2 and 3, against whom there is allegation of administering poison to the deceased and restraining the informant from seeing his brother's dead body; however, their bail application has already been withdrawn. There is no specific overt act attributed against the petitioner. Lastly, it is submitted that the petitioner has no criminal antecedents.



9. On the other hand, the learned APP for the State as well as the learned counsel for the informant has opposed the prayer for bail of the petitioner.

10. Taking into account that the bail application as against the petitioner nos.2 and 3 has already been withdrawn and that there is nothing specific against the petitioner no.1, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 C.J.M. Siwan/Successor Court in connection with Mufassil (Mahadeva O.P.) P.S. Case No.665 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;



(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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