

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14157 of 2026

Arising Out of PS. Case No.-58 Year-2025 Thana- PARSAUNI District- Sitamarhi

=====

Jivan Mukhiya @ Jivan Kumar Son of Late Mana Mukhiya @ Satyanarayan
Mukhiya Resident of Village- Vishnpur Dhodhani, P.S.- Parsauni, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-05-2026 Heard learned Counsel for the petitioner, learned
Counsel for the Informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner, who apprehends arrest in connection with Parsauni P.S. Case No. 58 of 2025, lodged on 17.04.2025, under Sections 103/238/3(5) of the Bhartiya Nyay Sanhita, 2023, pending in the Court of learned Judicial Magistrate, 1st Class, Sitamarhi.

3. As per the prosecution, the FIR has been lodged against three named accused persons including the present petitioner. The allegation made by the informant is that his son



was called by the petitioner and on the subsequent date his dead-body was recovered in a nearby canal and on this suspicion the case has been lodged.

4. Learned Counsel for the petitioner submits that the antecedent of the petitioner is clean. He submits that it is a case of circumstantial evidence and petitioner has unnecessarily been made accused in this case.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that it is the petitioner who called the son of the informant at the night and on the next day his dead body was recovered. Counsel submits that the weapon used in the crime has also been recovered.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that it is a case of suspicion but extremely strong suspicion is against the petitioner as the son of the informant went at the night with the petitioner and next day his dead body was recovered.

7. Considering the facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall



be considered without being prejudiced by the order of this
Court.

(Dr. Anshuman, J)

Mkr./-

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

