

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14440 of 2026

Arising Out of PS. Case No.-367 Year-2023 Thana- SHIVSAGAR District- Rohtas

1. Deepak Kumar Son of Jokhan Singh Resident Of Village- Berukahi Po -konar Ps -Shivsagar Dist- Rohtas, Bihar
2. Aman Kumar Son of Ramesh Singh @ Ramesh Kumar Resident Of Village- Berukahi Po -konar Ps -Shivsagar Dist- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tiwari Shwetketu

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 09-04-2026 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 302 and 504 of the Indian Penal Code.
3. The S.H.O. -cum- Investigating Officer of the case in compliance of the order dated 31.03.2026 is present in the Court.
4. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and the informant alleges that on 30.08.2023 at about 2.00 P.M., his



father Mahendra Sah (deceased) was sitting at the temple when accused persons including the petitioners came and started abusing him, on objection by his father, petitioners caught his collar and started strangulating him on account of which his father collapsed on the ground and thereafter petitioners climbed on his chest and started pressing. Further, Manoj said that his father has not died, hence the accused strangulated him on account of which his father died on the spot.

5. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence, but then, with such precision he has alleged that who assaulted his father and in what manner. It is further submitted that during course of investigation, even no eye witness has come forward to support the case of the prosecution when it is alleged that father of the informant was sitting in a temple where the occurrence is alleged to have taken place. It is also submitted that even the post mortem report does not



corroborate the allegation of assault as alleged in the FIR as the post mortem report records cause of death on account of disease relating to heart. It is further submitted that police for reasons best known for the last three years is investigating the case, the reason is obvious why.

6. Learned A.P.P. opposes the anticipatory bail application, but then, is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners based on instruction and after perusing the case diary that there is no eye witness to the occurrence and the cause of death as recorded in the post mortem does not corroborate the allegations alleged in the FIR.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with



Shivsagar P. S. Case No.367 of 2023, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

8. The application stands allowed.

9. The personal appearance of the S.H.O.-cum-Investigating Officer is dispensed with.

(Satyavrat Verma, J)

vikash/-

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

