

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22397 of 2026

Arising Out of PS. Case No.-31 Year-2025 Thana- Baliya District- Purnia

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Ganesh Murmu S/O Sanjhla Murmu Resident of village - Mosu Tola
Madhwapur, P.S. - Balia, Distict - Purnea

... .. Petitioner/s

Versus

The Stated of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Balia P.S. Case No.31 of 2025 registered for the offence
under Sections 103(1), 123, 3(5) of BNS.

3. As per prosecution case, the petitioner had an affair
with Shanti Devi wife of the deceased and he along with his
lover Shanti Devi killed informant's elder brother, Akhilesh
Sharma by assaulting him and poisoning him.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and he has
falsely been implicated in this case. Learned counsel for the
petitioner next submits that there is no eyewitness in this case
and merely on suspicion the petitioner has been implicated in
this case. Learned counsel for the petitioner also submits that



petitioner was not present on the place of occurrence. Lastly submits that the petitioner is having no criminal antecedent.

5. The learned APP opposes the anticipatory bail application.

6. The allegation against the petitioner in the FIR is that the petitioner had an affair with Shanti Devi wife of the deceased, and therefore, he along with his lover Shanti Devi is accused of killing informant's elder brother, Akhilesh Sharma (husband of Shanti Devi) by assaulting him and poisoning him. There is no eyewitness in this case and prima facie it appears that the petitioner has been implicated merely on suspicion, just because he is alleged to be having affair with wife of the deceased. Otherwise the petitioner is having no criminal antecedent. Under these circumstances, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Purnea in connection with Balia P.S. Case



No.31 of 2025, subject to the conditions laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with following conditions:

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Prakash Narayan

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