

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40897 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- NIMCHAKBATHANI District- Gaya

Maharaj Kumar @ Mahadev Mistri S/o Karoo Mistri @ Karu Mistri R/o
Village - Baraini, Police Station - Neemchak Bathani, District - Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Neemchak Bathani P.S. Case No. 3 of 2026 registered for the offences punishable under Sections 103(1), 238 of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, the dead body of daughter of the informant was recovered by local chowkidar/police which was kept hidden in the trench covered by straw etc.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is the elder brother of the husband of the deceased and mere on the basis of suspicion raised by father of the deceased as his married daughter was killed by her



matrimonial family members due to non-fulfillment of demand of dowry, this petitioner was implicated with the present crime in question. It is submitted that during course of investigation, the husband of the deceased was arrested, where he confessed that he alongwith his friend namely, Manoj Chaudhary committed murder of his wife as she was in extramarital affairs with someone else.

5. It is submitted that petitioner is the brother-in-law and living separately mostly at Delhi in connection with his professional engagement and was not connected in any manner with daily and domestic affairs of the deceased and her husband.

6. Explaining criminal antecedent, it is submitted that petitioner found involved in one more criminal case, in which he is on bail.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. In view of the aforesaid factual submissions and by taking note of the fact as petitioner is the brother-in-law, where he claims to live separately with the deceased and her husband, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of



Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Gaya Ji/concerned court in connection with Neemchak Bathani P.S. Case No. 3 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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